

IN RE: PETITION FOR VARIANCE
NE/S Susquehanna Avenue, 80' W
of the c/l of Patapsco Avenue
(1232 Susquehanna Avenue)
15th Election District
5th Councilmanic District

Michael T. Bentz and
Sheila S. Towle - Petitioners

* BEFORE THE
* DEPUTY ZONING COMMISSIONER
* OF BALTIMORE COUNTY
* Case No. 96-395-A

* * * * *

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before the Deputy Zoning Commissioner as a Petition for Variance for that property known as 1232 Susquehanna Avenue, located in the vicinity of Middle River Avenue in Bowleys Quarters. The Petition was filed by the owners of the property, Michael T. Bentz and Sheila S. Towle. The Petitioners seek relief from Section 1B02.3.C.1 of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit a lot width of 50 feet at the front building line in lieu of the required 70 feet and a sum of the side yard setbacks of 20 feet in lieu of the required 25 feet for a proposed dwelling. The subject property and relief sought are more particularly described on the site plan submitted which was accepted and marked into evidence as Petitioner's Exhibit 1.

Appearing at the hearing on behalf of the Petition was Michael Bentz, co-owner of the property. There were no Protestants present.

Testimony and evidence presented revealed that the subject property consists of 13,950 sq.ft., more or less, zoned D.R. 3.5 and is presently improved with a single family dwelling which has existed on the property for some time. The property is located within the Chesapeake Bay Critical Areas and fronts on Frog Mortar Creek in an older subdivision known as Lone Beach. The Petitioners wish to raze the existing dwelling and construct a new home on the property in the location shown on Petitioner's

ORDER RECEIVED FOR FILING

Date

By

MICROFILMED

Exhibit 1. Due to the narrow width of the lot, the relief requested is necessary in order to proceed as proposed. Further testimony revealed that the existing dwelling is located 6 inches off of the western property line and 16 feet off of the eastern property line. The Petitioners propose to center the new dwelling on the lot, thereby providing 10-foot side setbacks on each side. Furthermore, the Petitioners wish to position the new dwelling a little closer to the water than the existing dwelling. In support of their request, Mr. Bentz submitted a letter from the adjoining neighbors indicating they have no objections to the relief requested.

After due consideration of the testimony and evidence presented, in the opinion of the Deputy Zoning Commissioner, the relief requested sufficiently complies with the requirements of Sections 307.1, 307.2 and 500.14 of the Baltimore County Zoning Regulations (B.C.Z.R.) and should therefore be granted. There is no evidence in the record that the subject variance would adversely affect the health, safety, and/or general welfare of the public. Furthermore, strict compliance with the B.C.Z.R. would result in practical difficulty and/or unreasonable hardship upon the Petitioner.

The facts and evidence presented tend to establish that special conditions or circumstances exist which are peculiar to the land or structures located within the Chesapeake Bay Critical Areas of Baltimore County; that to deny the relief requested would result in practical difficulty, unreasonable hardship, or severe economic hardship upon the Petitioner; and that strict compliance with the Chesapeake Bay Critical Area requirements and the B.C.Z.R. would deprive the Petitioner of rights commonly enjoyed by other properties in similar areas within the Chesapeake Bay Critical Areas in Baltimore County. The granting of the relief requested

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Date

5/31/76
Bjz

will not confer upon the Petitioner any special privilege that would be denied by the critical area regulations to other lands or structures within the Chesapeake Bay Critical Areas. The relief requested is in harmony with the general spirit and intent of the Critical Areas legislation for Baltimore County and conforms to the requirements as set forth in Section 500.14 of the B.C.Z.R.

In accordance with Section 500.14 of the B.C.Z.R., the Director of the Department of Environmental Protection and Resource Management has submitted recommendations which describe what steps the Petitioner must take to insure that the relief requested complies with the following Chesapeake Bay Critical Areas requirements to:

- 1) Minimize adverse impacts on water quality that result from pollutants that are discharged from structures or conveyances or that have run off from surrounding lands;
- 2) Conserve fish, wildlife, and plant habitat; and
- 3) Be consistent with established land use policies for development in the Chesapeake Bay Critical Area which accommodate growth and also address the fact that, even if pollution is controlled, the number, movement, and activities of persons in that area can create adverse environmental impacts.

These recommendations shall be attached hereto and become a permanent part of the decision rendered in this case. There is no evidence in the record that the relief requested would adversely affect the health, safety, and/or general welfare of the public provided there is compliance with the requirements of the Department of Environmental Protection and Resource Management as more fully described below.

Pursuant to the advertisement, posting of the property, and public hearing on this Petition held, and for the reasons given above, the relief requested should be granted.

ORDER RECEIVED FOR FILING
Date 5/31/96
By [Signature]

MICROFILMED

Baltimore County Government
Zoning Commissioner
Office of Planning and Zoning



Suite 112 Courthouse
400 Washington Avenue
Towson, MD 21204

(410) 887-4386

May 31, 1996

Mr. Michael T. Bentz
Ms. Sheila S. Towle
2901 Eastern Boulevard
Baltimore, Maryland 21220

RE: PETITION FOR VARIANCE
NE/S Susquehanna Avenue, 80' W of the c/l of Patapsco Avenue
(1232 Susquehanna Avenue)
15th Election District - 5th Councilmanic District
Michael T. Bentz and Sheila S. Towle - Petitioners
Case No. 96-395-A

Dear Mr. Bentz & Ms. Towle:

Enclosed please find a copy of the decision rendered in the above-captioned matter. The Petition for Variance has been granted in accordance with the attached Order.

In the event any party finds the decision rendered is unfavorable, any party may file an appeal to the County Board of Appeals within thirty (30) days of the date of this Order. For further information on filing an appeal, please contact the Zoning Administration and Development Management office at 887-3391.

Very truly yours,

A handwritten signature in cursive script, reading "Timothy Kotroco".

TIMOTHY M. KOTROCO
Deputy Zoning Commissioner
for Baltimore County

TMK:bjs

cc: Chesapeake Bay Critical Areas Commission
45 Calvert Street, 2nd Floor, Annapolis, Md. 21401

DEPRM; People's Counsel

File

MICROFILMED



Petition for Variance

to the Zoning Commissioner of Baltimore County

for the property located at

96-395-A

1232 SUSQUEHANNA AVE

which is presently zoned

DR-35

This Petition shall be filed with the Office of Zoning Administration & Development Management.

The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Variance from Section(s)

A 50 FT. LOT WIDTH AT FRONT BUILDING LINE IN A DR-35 ZONE and a 50' SIDE YARD SETBACKS & 20' IN LIEU OF THE REQUIRED 25'.

1 BO-2.3 C1 (CHART) TO ALLOW

of the Zoning Regulations of Baltimore County, to the Zoning Law of Baltimore County; for the following reasons. (indicate hardship or practical difficulty)

SEE ATTACHED.

Property is to be posted and advertised as prescribed by Zoning Regulations.

I, or we, agree to pay expenses of above Variance advertising, posting, etc., upon filing of this petition, and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law for Baltimore County.

Contract Purchaser/Lessee:

(Type or Print Name)

Signature

Address

City

State

Zipcode

Attorney for Petitioner:

(Type or Print Name)

Signature

Address

Phone No.

City

State

Zipcode

I/We do solemnly declare and affirm, under the penalties of perjury, that I/we are the legal owner(s) of the property which is the subject of this Petition

Legal Owner(s):

MICHAEL T BENTZ

(Type or Print Name)

Michael T. Bentz

Signature

SHEILA S TOWLE

(Type or Print Name)

Sheila J. Towle

Signature

2901 EASTERN BLVD

Address

539-1730 W

780-9762 H

Phone No

BALTO MD 21220

City

State

Zipcode

Name, Address and phone number of representative to be contacted.

MICHAEL BENTZ

Name

2901 EASTERN BLVD

Address

Phone No.

#391

OFFICE USE ONLY

ESTIMATED LENGTH OF HEARING

unavailable for Hearing

0.75 hr.

the following dates

Next Two Months

ALL

OTHER

REVIEWED BY:

DATE

2/24/21



Printed with Soybean Ink
on Recycled Paper



MICROFILMED

PRACTICAL DIFFICULTY OF LARGE TREE'S
GROWING INTO SIDE OF HOUSE WITH
EXTENSIVE TERMITE DAMAGE TO STUDS
AND BASE BOARD IN SIDE OF WALLS.
HOUSE WAS USED FOR SUMMER HOME
ONLY VERY LITTLE INSULATION IN
WALLS OR ATTIC SPACE NO WEATHER
STRIPPING OR WEATHER PROOF WINDOWS
IN HOUSE. IN 1994 WATER PIPE'S
BROKE UNDER SLAB FOUNDATION
FROM FREEZING AND RAN FOR 2 DAYS
FLOODING THE HOUSE. HOUSE IS ONLY
 \pm 1/2 FOOT FROM PROPERTY LINE
OLD DWELLING IS 33' WIDE BY 58' LONG
NEW HOUSE MEASURES 30' WIDE BY 51' LONG
WOULD LIKE TO SAVE TREE'S ON
WATER SIDE OF PROPERTY

391

MICHAEL BENTZ
4-9-96

MICROFILMED

391ZONING DESCRIPTION

ZONING DESCRIPTION FOR 1232 SUSQUEHANNA AVENUE
BEGINNING AT A POINT ON THE NORTH EAST SIDE OF
SUSQUEHANNA AVENUE WHICH IS 50 FEET WIDE AT THE
DISTANCE OF 80 +/- FEET, WEST OF THE CENTER LINE OF
THE NEAREST IMPROVED INTERSECTING STREET PATAPSCO AVE.
WHICH IS 18 +/- FEET. BEING LOT #46 AS RECORDED IN
BALTIMORE COUNTY PLAT BOOK #03, FOLIO #178 CONTAINING
13,950 SQUARE FEET. ALSO KNOWN AS 1232 SUSQUEHANNA
AVENUE AND LOCATED IN THE 15 ELECTION DISTRICT.

1232 SUSQUEHANNA AVENUE
BALTIMORE, MD 21201

CERTIFICATE OF POSTING
ZONING DEPARTMENT OF BALTIMORE COUNTY
Towson, Maryland

96-395-A

District 15th

Date of Posting 4/19/96

Posted for: MAY 17, 1996 HEARING

Petitioner: Michael T. BENT, Sheila Toule

Location of property: 1232 Susquehanna Ave

Location of Sign: Leaving the door on property being zoned

Remarks: _____

Posted by: M. H. [Signature]
Signature

Date of return: 4/26/96

Number of Signs: 1

MICROFILMED

NOTICE OF HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County will hold a public hearing on the property identified herein in Room 106 of the County Office Building, 111 W. Chesapeake Avenue in Towson, Maryland 21204, or Room 118, Old Courthouse, 400 Washington Avenue, Towson, Maryland 21204 as follows:

Case: #96-395-A

(Item 391)

1232 Susquehanna Avenue
NE/S Susquehanna Avenue,
80' +/- W of rd Patuxco Ave-

nue

15th Election District

5th Councilmanic

Legal Owner(s):

Michael I. Reitz and Sheila J.

Towle

Variates: to allow a 50-foot lot width at front building line in lieu of the required 70 feet and a sum of side yard setback of 29 feet in lieu of the required 25 feet.

Hearing: Friday, May 17, 1996 at 2:00 p.m. in Rm. 106, County Office Building.

LAWRENCE E. SCHMIDT
Zoning Commissioner for Baltimore County

NOTES: (1) Hearings are Handicapped Accessible; for special accommodations Please Call 887-3363.
(2) For information concerning the File and/or Hearing, Please Call 887-3361.

4/26/96 April 25.

C46795

CERTIFICATE OF PUBLICATION

TOWSON, MD., 4/25, 1996

THIS IS TO CERTIFY, that the annexed advertisement was published in THE JEFFERSONIAN, a weekly newspaper published in Towson, Baltimore County, Md., once in each of 1 successive weeks, the first publication appearing on 4/25, 1996.

THE JEFFERSONIAN,

A. Henickson

LEGAL AD. - TOWSON

MICROFILMED

BALTIMORE COUNTY, MARYLAND
OFFICE OF FINANCE - REVENUE DIVISION
MISCELLANEOUS CASH RECEIPT

No. 07604

DATE 4 9 96 ACCOUNT R-01-6120

96-395-A

AMOUNT \$ 85.00

RECEIVED FROM: Michael T. Frazier

400 --- Residential Services Inc. --- 50.00

#080 --- Sign & Posting --- 35.00

FOR: Microfilmed

MICROFILMED

DISTRIBUTION
WHITE - CASHIER PINK - AGENCY YELLOW - CUSTOMER

VALIDATION OR SIGNATURE OF CASHIER

02A91 #143 MICHRE \$85.00
BACO 11:53 AM 04-09-96 JH



Baltimore County
Department of Permits and
Development Management

Development Processing
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204

ZONING HEARING ADVERTISING AND POSTING REQUIREMENTS & PROCEDURES

Baltimore County zoning regulations require that notice be given to the general public/neighboring property owners relative to property which is the subject of an upcoming zoning hearing. For those petitions which require a public hearing, this notice is accomplished by posting a sign on the property and placement of a notice in at least one newspaper of general circulation in the County.

This office will ensure that the legal requirements for posting and advertising are satisfied. However, the petitioner is responsible for the costs associated with these requirements.

PAYMENT WILL BE MADE AS FOLLOWS:

- 1) Posting fees will be accessed and paid to this office at the time of filing.
- 2) Billing for legal advertising, due upon receipt, will come from and should be remitted directly to the newspaper.

NON-PAYMENT OF ADVERTISING FEES WILL STAY ISSUANCE OF ZONING ORDER.

ARNOLD JABLON, DIRECTOR

For newspaper advertising:

Item No.: 391 Petitioner: MICHAEL BENTZ
Location: 1232 SUSQUEHANNA AVE BALTO MD 21220

PLEASE FORWARD ADVERTISING BILL TO:

NAME: MICHAEL BENTZ
ADDRESS: 1232 SUSQUEHANNA AVE
BALTO MD 21220

PHONE NUMBER: W-539-1730 H/780-9762

MICROFILMED

Plat to accompany Petition for Zoning ☐ Variance ☐ Special Hearing

PROPERTY ADDRESS: _____

see pages 5 & 6 of the CHECKLIST for additional required information

Subdivision name: _____

plat book # _____, folio # _____, lot # _____, section # _____

OWNER: _____



North

date: _____
prepared by: _____

Scale of Drawing: 1" = _____



Vicinity Map
scale: 1"=1000'

LOCATION INFORMATION

Election District: _____

Councilmanic District: _____

1"=200' scale map#: _____

Zoning: _____

Lot size: _____ acreage _____ square feet

public private
SEWER: ☐ ☐

WATER: ☐ ☐

yes no
☐ ☐

Chesapeake Bay Critical Area: _____

Prior Zoning Hearings: _____

Zoning Office USE ONLY!

reviewed by: _____ ITEM #: _____ CASE#: _____

SCHEDULED DATES, CERTIFICATE OF FILING AND POSTING
FOR A BUILDING PERMIT APPLICATION PURSUANT TO SECTION 304.2
DEPARTMENT OF PERMITS & DEVELOPMENT MANAGEMENT
County Office Building
111 W. Chesapeake Avenue
Towson, Maryland 21204

The application for your proposed Building Permit Application has been accepted
for filing by J. H. [Signature] on 4-19-96
Date (A)

A sign indicating the proposed Building must be posted on the property for
fifteen (15) days before a decision can be rendered. The cost of filing is
\$50.00 and posting \$35.00; total \$85.00.

In the absence of a request for public hearing during the 15-day posting period,
a decision can be expected within approximately four weeks. However, if a valid
demand is received by the closing date, then the decision shall only be rendered
after the required public special hearing.

*SUGGESTED POSTING DATE 4-30-96 D (15 Days Before C)

DATE POSTED _____

HEARING REQUESTED-YES _____ NO _____ -DATE _____

CLOSING DAY (LAST DAY FOR HEARING DEMAND) 5-14-96 C (B-3 Work Days)

TENTATIVE DECISION DATE 5-18-96 B (A + 30 Days)

*Usually within 15 days of filing

CERTIFICATE OF POSTING

District _____

Location of property: _____

Posted by: _____ Date of Posting: _____
Signature

Number of Signs: _____

MICROFILMED

INTER-OFFICE CORRESPONDENCE
RECOMMENDATION FORM

TO: Director, Office of Planning & Community Conservation
Attn: Ervin McDaniel
County Courts Bldg, Rm 406
401 Bosley Av
Towson, MD 21204

B Permit Number

FROM: Arnold Jablon, Director, Department of Permits & Development Management

4/19 Has NOT applied yet
* Variance, Item #391
96-395-A

RE: Undersized Lots

Pursuant to Section 304.2(Baltimore County Zoning Regulations) effective June 25, 1992; this office is requesting recommendations and comments from the Office of Planning & Community Conservation prior to this office's approval of a dwelling permit.

MINIMUM APPLICANT SUPPLIED INFORMATION:

☒ MICHAEL T BENTZ 2901 EASTERN BLVD 780-9762
Print Name of Applicant Address Telephone Number

☒ Lot Address 1232 SUSQUEHANNA AVE Election District 5 Council District Square Feet 13,950
Lot Location: NORTH side/corner of SUSQUEHANNA AVE, 80± feet from WEST corner of PATAPSCO AVE
(street) (street)

Land Owner MICHAEL T BENTZ & SHEILA TOWLE Tax Account Number 15-12-840480 969

Address 2901 EASTERN BLVD Telephone Number 780-9762
BALTO MD 21220

☐ CHECKLIST OF MATERIALS: to be submitted for design review by the Office of Planning & Community Conservation PROVIDED?

	YES	NO
1. This Recommendation Form (3 copies)	✓	—
2. Permit Application	—	—
3. Site Plan	✓	—
Property (3 copies)	✓	—
Topo Map (available in Rm 206 C.O.B.) (2 copies) (please label site clearly)	✓	—
4. Building Elevation Drawings	✓	—
5. Photographs (please label all photos clearly)	✓	—
Adjoining Buildings	✓	—
Surrounding Neighborhood	✓	—

Residential Processing Fee Paid
Codes 030 & 080 (\$35)

Accepted by

ZADM

Date

TO BE FILLED IN BY THE OFFICE OF PLANNING & COMMUNITY CONSERVATION ONLY!!

RECOMMENDATIONS/COMMENTS:

☒ Approval

☐ Disapproval

☐ Approval conditioned on required modifications of the permit to conform with the following recommendations:

Signed by:

for the Director,

Office of Planning & Community Conservation

Date:

May 1, 1996

TO: PUTUXENT PUBLISHING COMPANY
April 25, 1996 Issue - Jeffersonian

Please forward billing to:

Michael Bentz
1232 Susquehanna Avenue
Baltimore, MD 21220
780-9762

NOTICE OF HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing on the property identified herein in
Room 106 of the County Office Building, 111 W. Chesapeake Avenue in Towson, Maryland 21204
or
Room 118, Old Courthouse, 400 Washington Avenue, Towson, Maryland 21204 as follows:

CASE NUMBER: 96-395-A(Item 391)
1232 Susquehanna Avenue
NE/S Susquehanna Avenue, 80' +/- W of c/l Patapsco Avenue
15th Election District - 5th Councilmanic
Legal Owner(s): Michael T. Bentz and Sheila J. Towle

Variance to allow a 50-foot lot width at front building line in lieu of the required 70 feet and a sum of side yard setbacks of 29 feet in lieu of the required 25 feet.

HEARING: FRIDAY, MAY 17, 1996 at 2:00 p.m. in Room 106, County Office Building.

LAWRENCE E. SCHMIDT
ZONING COMMISSIONER FOR BALTIMORE COUNTY

NOTES: (1) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL 887-3353.
(2) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, PLEASE CALL 887-3391.

MICROFILMED



Baltimore County
Department of Permits and
Development Management

Development Processing
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204

April 17, 1996

NOTICE OF HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing on the property identified herein in
Room 106 of the County Office Building, 111 W. Chesapeake Avenue in Towson, Maryland 21204
or
Room 118, Old Courthouse, 400 Washington Avenue, Towson, Maryland 21204 as follows:

CASE NUMBER: 96-395-A(Item 391)
1232 Susquehanna Avenue
NE/S Susquehanna Avenue, 80' +/- W of c/l Patapsco Avenue
15th Election District - 5th Councilmanic
Legal Owner(s): Michael T. Bentz and Sheila J. Towle

Variance to allow a 50-foot lot width at front building line in lieu of the required 70 feet and a sum of side yard setbacks of 29 feet in lieu of the required 25 feet.

HEARING: FRIDAY, MAY 17, 1996 at 2:00 p.m. in Room 106, County Office Building.

A handwritten signature in cursive script, reading "Arnold Jablon".

Arnold Jablon
Director

cc: Michael T. Bentz and Sheila J. Towle

- NOTES: (1) ZONING SIGN & POST MUST BE RETURNED TO RM. 104, 111 W. CHESAPEAKE AVENUE ON THE HEARING DATE.
(2) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL 887-3353.
(3) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, CONTACT THIS OFFICE AT 887-3391.

MICROFILMED





Baltimore County
Department of Permits and
Development Management

Development Processing
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204

May 10, 1996

Michael T. Bentz and Sheila J. Towle
2901 Eastern Boulevard
Baltimore, MD 21220

RE: Item No.: 391
Case No.: 96-395-A
Petitioner: Michael Bentz, et al

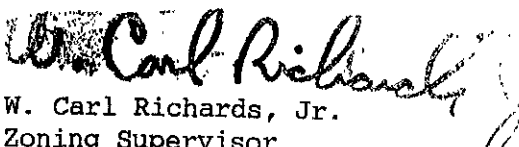
Dear Mr. Bentz and Ms. Towle:

The Zoning Advisory Committee (ZAC), which consists of representatives from Baltimore County approval agencies, has reviewed the plans submitted with the above referenced petition, which was accepted for processing by Permits and Development Management (PDM), Zoning Review, on April 26, 1996.

Any comments submitted thus far from the members of ZAC that offer or request information on your petition are attached. These comments are not intended to indicate the appropriateness of the zoning action requested, but to assure that all parties (zoning commissioner, attorney, petitioner, etc.) are made aware of plans or problems with regard to the proposed improvements that may have a bearing on this case. Only those comments that are informative will be forwarded to you; those that are not informative will be placed in the permanent case file.

If you need further information or have any questions regarding these comments, please do not hesitate to contact the commenting agency or Joyce Watson in the zoning office (887-3391).

Sincerely,


W. Carl Richards, Jr.
Zoning Supervisor

WCR/jw
Attachment(s)

MICROFILMED

Baltimore County Government
Fire Department



700 East Joppa Road
Towson, MD 21286-5500

Kodak *ds*
digital science™

DEMO

Office of the Fire Marshal
(410)887-4880

DATE: 04/18/96

Arnold Jablon
Director
Zoning Administration and
Development Management
Baltimore County Office Building
Towson, MD 21204
MAIL STOP-1105

RE: Property Owner: SEE BELOW

Location: DISTRIBUTION MEETING OF APRIL 22, 1996.

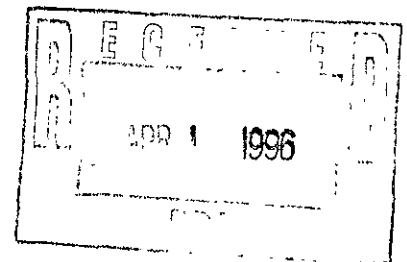
Item No.: SEE BELOW

Zoning Agenda:

Gentlemen:

Pursuant to your request, the referenced property has been surveyed by this Bureau and the comments below are applicable and required to be corrected or incorporated into the final plans for the property.

8. The Fire Marshal's Office has no comments at this time,
IN REFERENCE TO THE FOLLOWING ITEM NUMBERS: 389, 390, 391, 392, 393, 394,
395, 397 AND 398.



REVIEWER: LT. ROBERT P. SAUERWALD
Fire Marshal Office, PHONE 887-4881, MS-1102F

cc: File

MICROFILMED

B A L T I M O R E C O U N T Y , M A R Y L A N D

INTER-OFFICE CORRESPONDENCE

TO: Arnold Jablon, Director
 Permits and Development
 Management

DATE: April 17, 1996

FROM: Pat Keller, Director
 Office of Planning

SUBJECT: Petitions from Zoning Advisory Committee

The Office of Planning has no comments on the following petition(s):

Item Nos. 389, 390, 391, 392, 393, and 395

If there should be any further questions or if this office can provide additional information, please contact Jeffrey Long in the Office of Planning at 887-3480.

Prepared by: _____

Jeffrey W. Long

Division Chief: _____

Gary L. Keller

PK/JL

BALTIMORE COUNTY, MARYLAND

INTEROFFICE CORRESPONDENCE

TO: Arnold Jablon, Director
Department of Permits & Development
Management

Date: April 26, 1996

FROM: Robert W. Bowling, Chief
Development Plans Review Division
Department of Permits & Development
Management

SUBJECT: Zoning Advisory Committee Meeting
for April 29, 1996
Item No. 391

The Development Plans Review Division has reviewed the subject zoning item.

The property to be developed is located adjacent to tidewater. The Developer is advised that the proper sections of the Baltimore County Building Code must be followed whereby elevation limitations are placed on the lowest floor (including basements) of residential (commercial) development.

The rear of buildings may not be constructed within 20 feet of the limits of the floodplain as established for a 100-year flood level with a 1 foot freeboard. See Plate D-19 in the Baltimore County Design Manual, adopted 1983 and revised February 1985.

In conformance with Federal Flood Insurance requirements, the first floor or basement floor must be at least 1 foot over the flood plain elevation in all construction.

RWB:HJO:jrb

cc: File

ZONE8B

ORDER RECEIVED FOR FILING
Date 5/3/96
By [Signature]

MICROFILMED

96-2023
4/25/96
J
Jo we

BALTIMORE COUNTY, MARYLAND
DEPARTMENT OF ENVIRONMENTAL PROTECTION AND RESOURCE MANAGEMENT
INTER-OFFICE CORRESPONDENCE

TO: Mr. Arnold Jablon, Director
Zoning Administration and
Development Management

April 23, 1996

FROM: Robert A. Wirth *RAW/pms*
DEPRM

SUBJECT: Zoning Item #391 - Bentz Property
1232 Susquehanna Avenue
Zoning Advisory Committee Meeting of April 22, 1996

The Department of Environmental Protection and Resource Management offers the following comments on the above-referenced zoning item:

Environmental Impact Review

Development of this property must comply with the Chesapeake Bay Critical Area Regulations (Sections 26-436 through 26-461, and other Sections, of the Baltimore County Code).

Ground Water Management

The proposed house plan must be reviewed and approved by Rob Powell. Contact him at 887-2762 for more information.

RAW:SA:RP:sp

c: Michael T. Bentz and Sheila J. Towle

BENTZ/DEPRM/TXTSBP

ORDER RECEIVED FOR FILING

Date

By

MICROFILMED

2 1996

**INTER-OFFICE CORRESPONDENCE
RECOMMENDATION FORM**

TO: Director, Office of Planning & Community Conservation
Attn: Ervin McDaniel
County Courts Bldg, Rm 406
401 Bosley Av
Towson, MD 21204

B _____
Permit Number

Has not been submitted
** Variance, Item #391*

FROM: Arnold Jablon, Director, Department of Permits & Development Management

RE: **Undersized Lots**

Pursuant to Section 304.2(Baltimore County Zoning Regulations) effective June 25, 1992; this office is requesting recommendations and comments from the Office of Planning & Community Conservation prior to this office's approval of a dwelling permit.

MINIMUM APPLICANT SUPPLIED INFORMATION:

☐ MICHAEL BENITZ 2901 EASTERN BLVD 780-9762
Print Name of Applicant Address Telephone Number

☐ Lot Address 1232 SUSQUEHANNA Election District 5 Council District _____ Square Feet 13950

Lot Location: N side of SUSQUEHANNA 80' feet from N E S W corner of PATAPSCO AVE
(street) (street)

Land Owner MICHAEL BENITZ & SKELLA TOWLE Tax Account Number 15-12-840480 969

Address 2901 EASTERN BLVD Telephone Number 780-9762 539-1730
BALTO MD 21220

☐ **CHECKLIST OF MATERIALS:** to be submitted for design review by the Office of Planning & Community Conservation
PROVIDED?

	YES	NO
1. This Recommendation Form (3 copies)	<input checked="" type="checkbox"/>	_____
2. Permit Application	_____	_____
3. Site Plan	<input checked="" type="checkbox"/>	_____
Property (3 copies)	<input checked="" type="checkbox"/>	_____
Topo Map (available in Rm 206 C.O.B.) (2 copies) (please label site clearly)	<input checked="" type="checkbox"/>	_____
4. Building Elevation Drawings	<input checked="" type="checkbox"/>	_____
5. Photographs (please label all photos clearly)	<input checked="" type="checkbox"/>	_____
Adjoining Buildings	<input checked="" type="checkbox"/>	_____
Surrounding Neighborhood	<input checked="" type="checkbox"/>	_____

Residential Processing Fee Paid
Codes 030 & 080 (\$85)

Accepted by _____
ZADM

Date _____

TO BE FILLED IN BY THE OFFICE OF PLANNING & COMMUNITY CONSERVATION ONLY!!

RECOMMENDATIONS/COMMENTS:

☒ **Approval** ☐ **Disapproval** ☐ Approval conditioned on required modifications of the permit to conform with the following recommendations:

Signed by: Ervin McDaniel
for the Director, Office of Planning & Community Conservation

Date: May 1, 1990

SCHEDULED DATES, CERTIFICATE OF FILING AND POSTING
FOR A BUILDING PERMIT APPLICATION PURSUANT TO SECTION 304.2
DEPARTMENT OF PERMITS & DEVELOPMENT MANAGEMENT
County Office Building
111 W. Chesapeake Avenue
Towson, Maryland 21204

The application for your proposed Building Permit Application has been accepted
for filing by J. J. Hall on 4-19-96
Date (A)

A sign indicating the proposed Building must be posted on the property for
fifteen (15) days before a decision can be rendered. The cost of filing is
\$50.00 and posting \$35.00; total \$85.00.

In the absence of a request for public hearing during the 15-day posting period,
a decision can be expected within approximately four weeks. However, if a valid
demand is received by the closing date, then the decision shall only be rendered
after the required public special hearing.

*SUGGESTED POSTING DATE 4-30-96 D (15 Days Before C)

DATE POSTED _____

HEARING REQUESTED-YES _____ NO _____ -DATE _____

CLOSING DAY (LAST DAY FOR HEARING DEMAND) 5-14-96 C (B-3 Work Days)

TENTATIVE DECISION DATE 5-18-96 B (A + 30 Days)

*Usually within 15 days of filing

CERTIFICATE OF POSTING

District _____

Location of property: _____

Posted by: _____ Date of Posting: _____
Signature

Number of Signs: _____

RE: PETITION FOR VARIANCE * BEFORE THE
1232 Susquehanna Avenue, NE/S Susquehanna *
Avenue, 80'+/- W of c/l Patapsco Avenue * ZONING COMMISSIONER
15th Election District, 5th Councilmanic * OF BALTIMORE COUNTY
Michael Bentz and Sheila Towle *
Petitioner * CASE NO. 96-395-A

* * * * *

ENTRY OF APPEARANCE

Please enter the appearance of the People's Counsel in the above-captioned matter. Notice should be sent of any hearing dates or other proceedings in this matter and of the passage of any preliminary or final Order.

Peter Max Zimmerman
PETER MAX ZIMMERMAN
People's Counsel for Baltimore County

Carole S. Demilio
CAROLE S. DEMILIO
Deputy People's Counsel
Room 47, Courthouse
400 Washington Avenue
Towson, MD 21204
(410) 887-2188

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 9th day of May, 1996, a copy of the foregoing Entry of Appearance was mailed to Michael Bentz and Sheila Towle, 2901 Eastern Boulevard, Baltimore, MD 21220, Petitioners.

Peter Max Zimmerman
PETER MAX ZIMMERMAN

MICROFILMED

391

DEAR NEIGHBORS

I AM APPLYING FOR A VARIANCE FROM
THE ZONING COMMISSIONER OF
BALTIMORE COUNTY IN ORDER TO
BUILD A NEW HOME.

IN THIS VARIANCE, THE STANDING
STRUCTURE WOULD BE REMOVED
AND A NEW STRUCTURE WOULD BE
BUILT. MOVING THE NEW HOUSE
TO THE CENTER OF THE LOT WITH
THE OUTSIDE MEASUREMENTS
BEING 30' WIDE BY 51' LONG
GIVING 10 FEET A SIDE (THE OLD
STRUCTURE MEASURED 33' WIDE
BY 58' LONG). I'M ASKING FOR
YOUR SIGNATURE OF APPROVAL TO
DO SO.

THANK YOU

MICHAEL BENTZ

Shila Towle

3-30-96

Norman Baumgart - 1224 Susquehanna Ave.

Fred Brand 1226 Susquehanna Ave.

Norman D. Brown 1236 Susquehanna Ave.

MICROFILMED

PLAT TO ACCOMPANY PETITION FOR ZONING VARIANCE

Property address: 1948 Merritt Blvd.
 Subdivision name: Dundalk Farms
 plat book: 10 folio: 53.

Owner: Beverly Karras
 Date: April 15, 1996
 Scale: 1"=50'

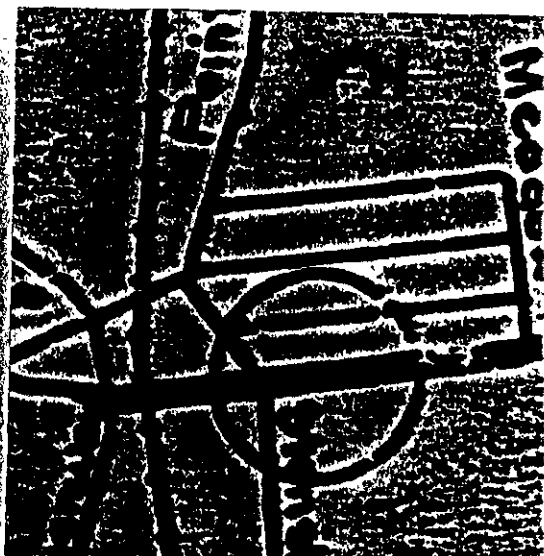
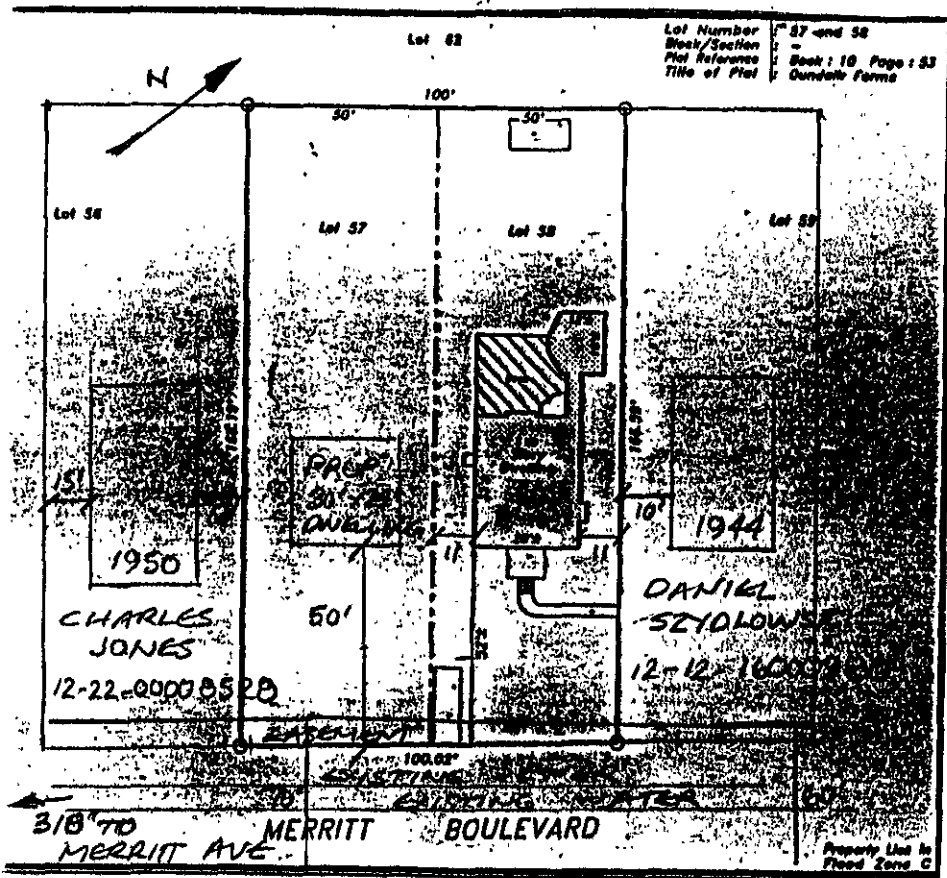
Zoning Office Use ONLY!

reviewed by	item #	case #
<i>mk</i>	402	

Location Information

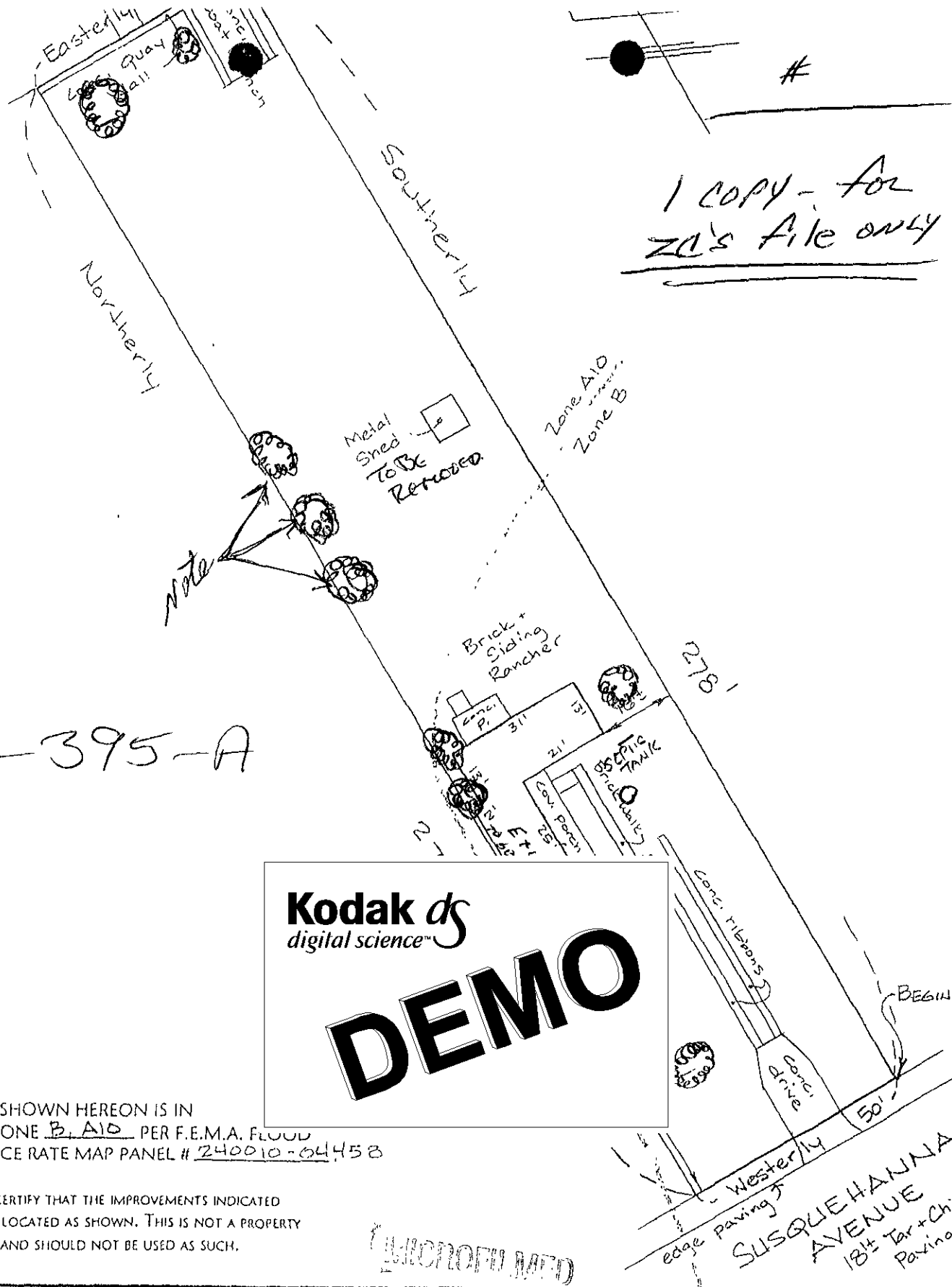
Councilmatic District: 7
 Election District: 12
 1"=200' scale map: SE-4P
 Zoning: DR. 5.5

Lot size: .19 acres/ 8,049 sq. ft.
 Public sewer and water exists
 Lot does not lie in Chesapeake Bay Critical Area
 No prior zoning hearings



VICINITY MAP
 SCALE: 1"=1000'

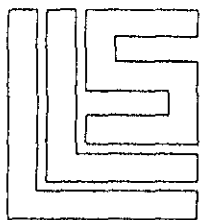
MICROFILMED



THE LOT SHOWN HEREON IS IN
FLOOD ZONE B, A10 PER F.E.M.A. FLOOD
INSURANCE RATE MAP PANEL # 240010-04458

THIS IS TO CERTIFY THAT THE IMPROVEMENTS INDICATED
HEREON ARE LOCATED AS SHOWN. THIS IS NOT A PROPERTY
LINE SURVEY AND SHOULD NOT BE USED AS SUCH.

MICROFILMED



Land Surveyors
P.O. Box 5410
Towson, Maryland 21285
(410) 435-8309

LOCATION CERTIFICATION

#1232 SUSQUEHANNA AVENUE
Liber W.J.R. 3698 Folio 630
BALTIMORE COUNTY, MARYLAND

DATE: 5-16-94

SCALE: 1" = 30'

FILE: 94-088

photographs
in

Case #

96-395-A

MICROFILMED

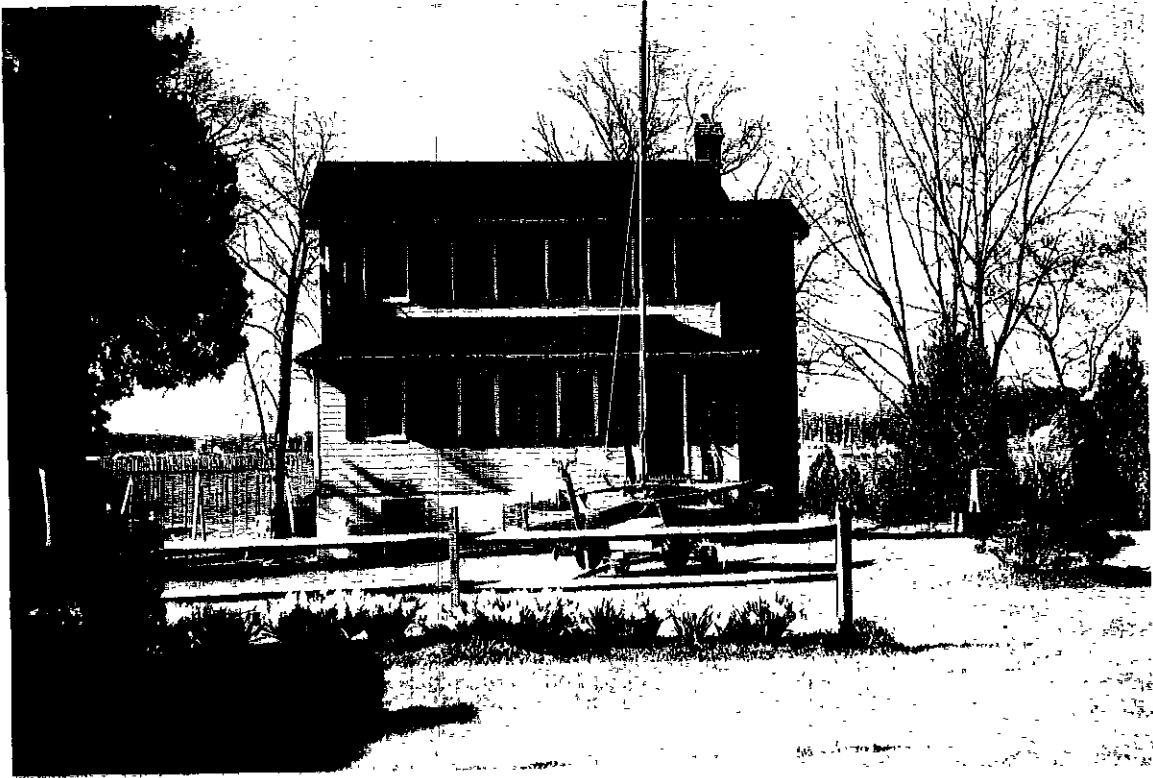




Kodak *ds*
digital science™

DEMO





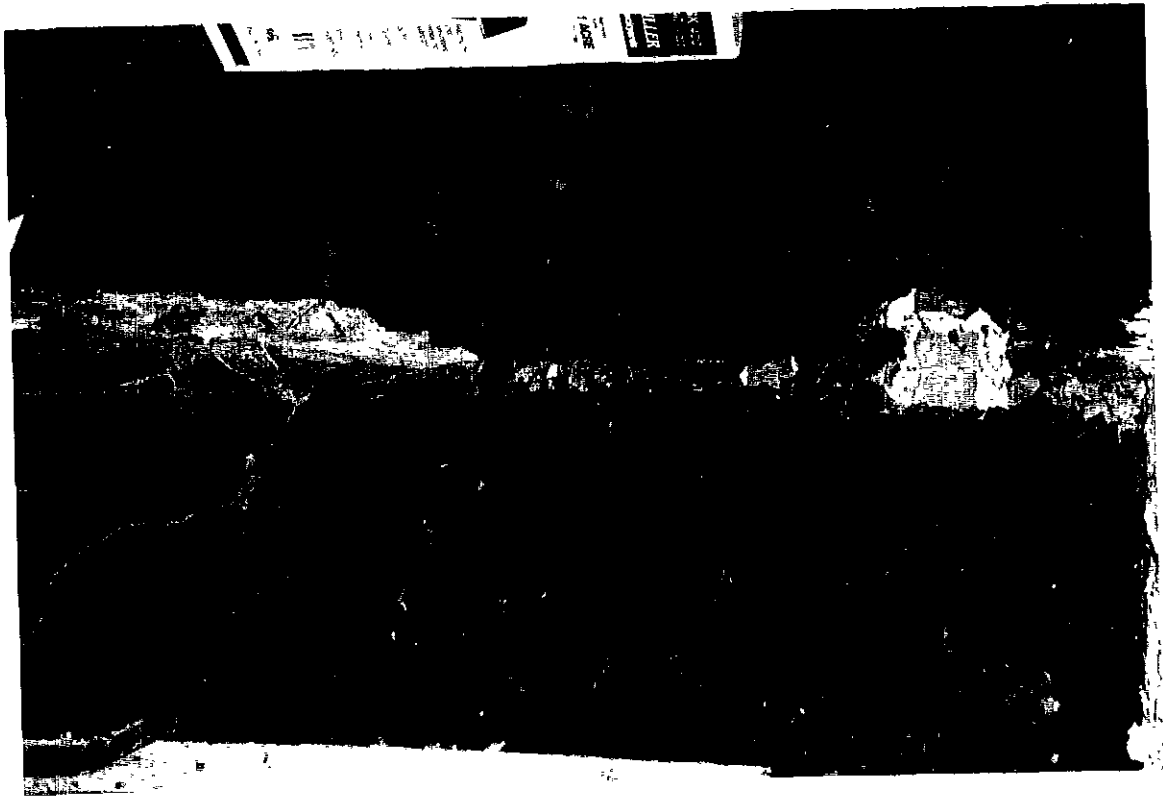


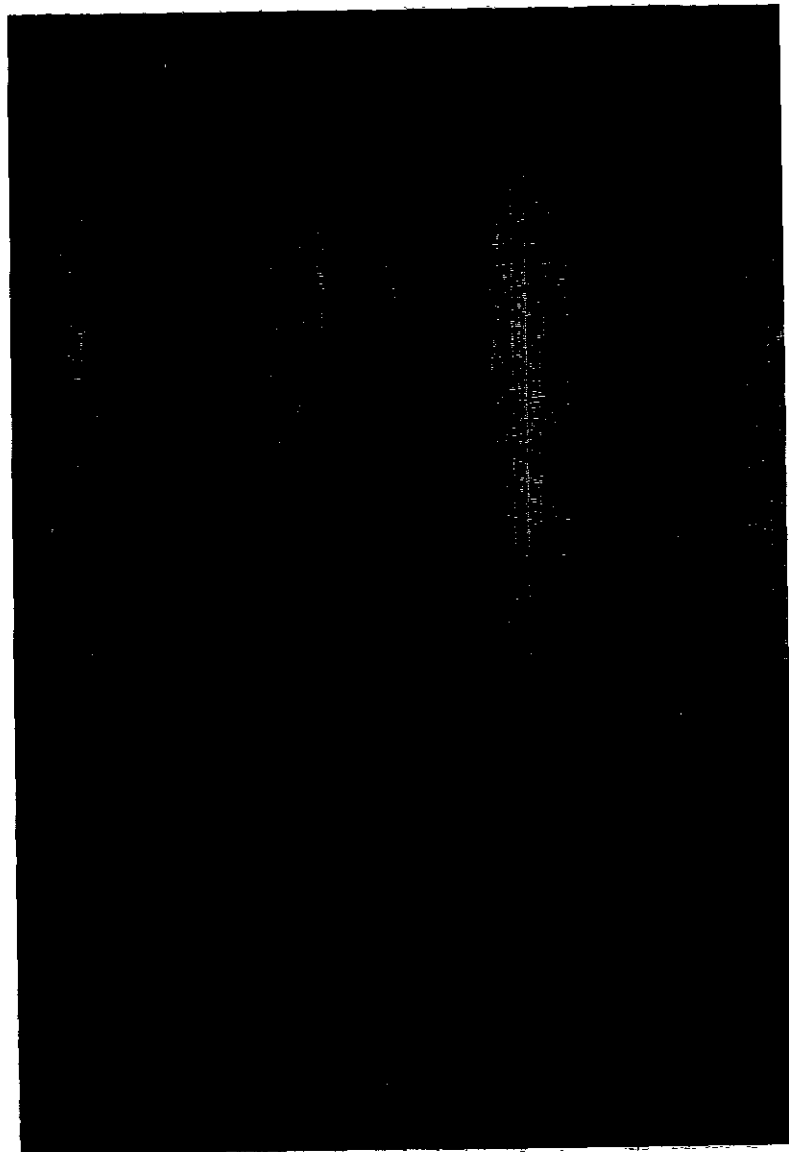
Kodak *ds*
digital science™

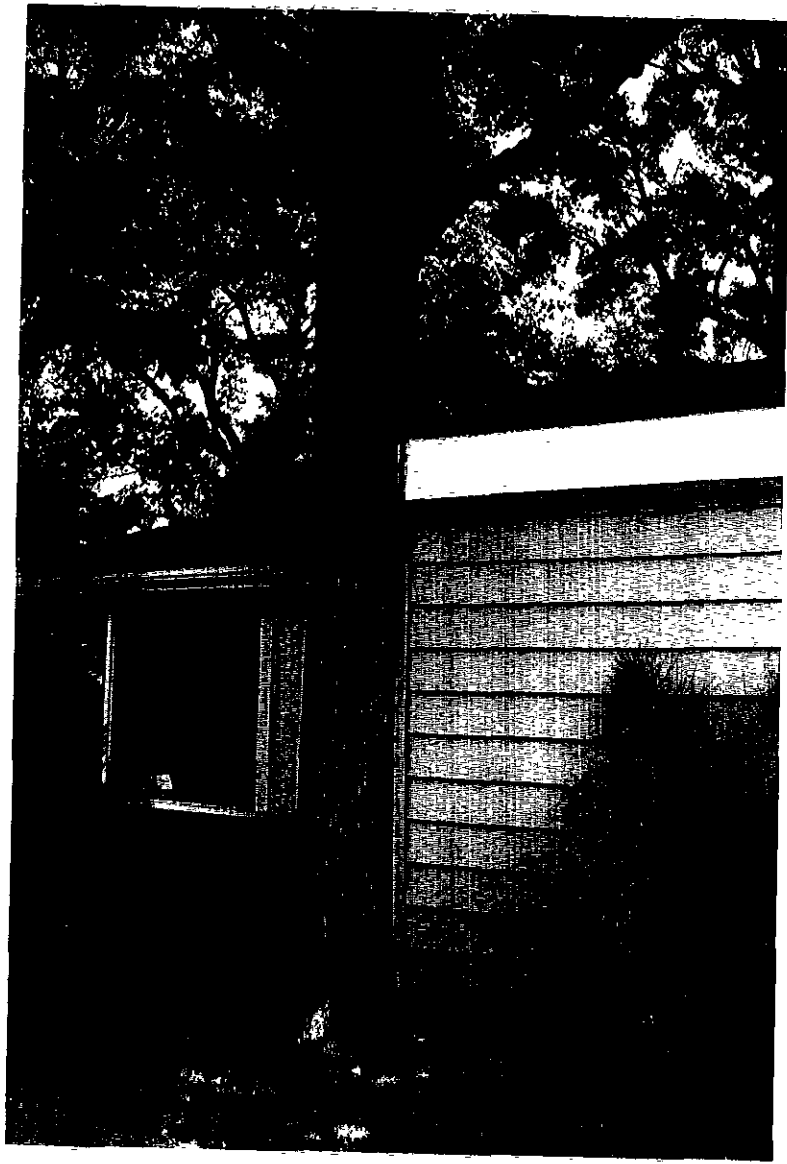
DEMO











One of
Three trees
pushing
into side
of house.



tree growing in base of house.



from neighbor yard on left side of house,
Note: trees growing into house.



Property line on right side of house from street. Neighbor boat in part of yard for viewing

Kodak *ds*
digital science™

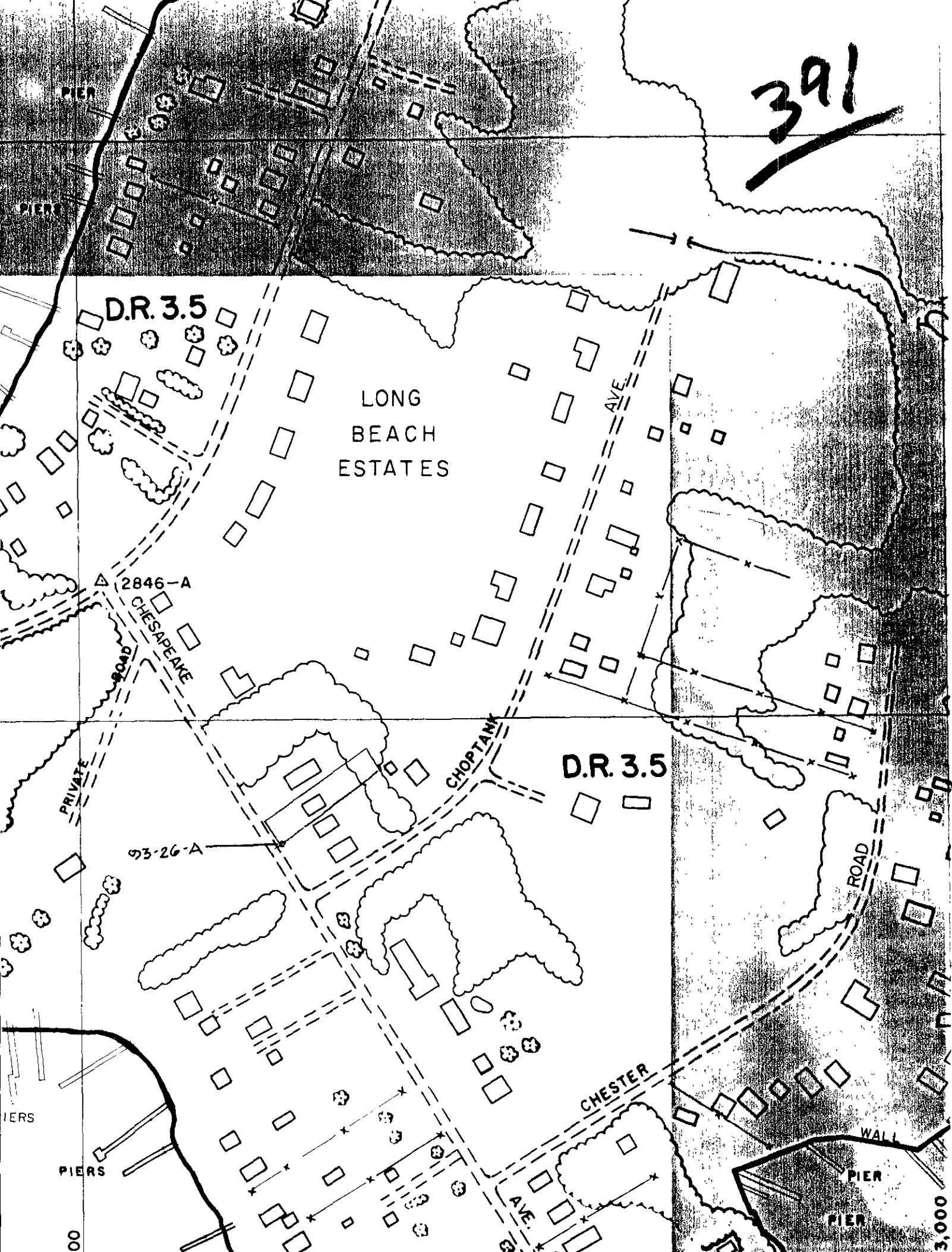
DEMO

2 of Three trees pushing into house.

MICROFILMED



391



(SHEET N.E.2 J)

N 6,000

MORT.

NE-2K
1/5 2000

96-395-A

FROG

N 5,000

PIER

PIERS

PIERS

PIERS

SUSQUEHANNA

D.R. 3.5

PATAPSCO

RIVER

MIDDLE

PIERS

PIERS

MICROFILMED

N 538,000

0,000

GALLOWAY

PIERS

POINT

WALL

PIER

200

PIER

for Zoning ☐ Variance ☐ Special Hearing

see pages 5 & 6 of the CHECKLIST for additional required information

MANNA AVE

NORTHERLY

Tray Mountain
Creek

PIER

73'

37'
30'

ZONE A10

ZONE B

Elevation: 8 ft

Proposed dwelling
will have no basement
& be 3 ft. above the
8' elevation

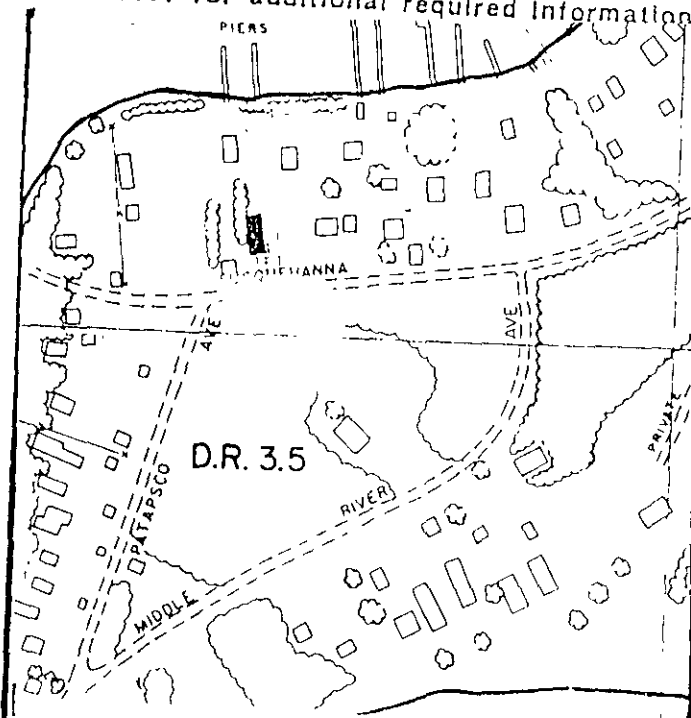
A Certificate of
Assessment Agreement has
been completed & submitted,
prior to this permit
application.

177'

18'

AVE

Scale: 1" = 50'



LOCATION INFORMATION

Election District: 15

Councilmanic District: 5th

1"=200' scale map#: NE, SK

Zoning: DR-35

Lot size: $\frac{1}{3}$ acreage 13,950 square feet

SEWER: ☐ public ☒ private

WATER: ☒ yes ☐ no

Chesapeake Bay Critical Area: ☒ yes ☐ no

Prior Zoning Hearings:

~~Zoning Office USE ONLY~~

reviewed by:

CASE#:

391

Per
EX #1

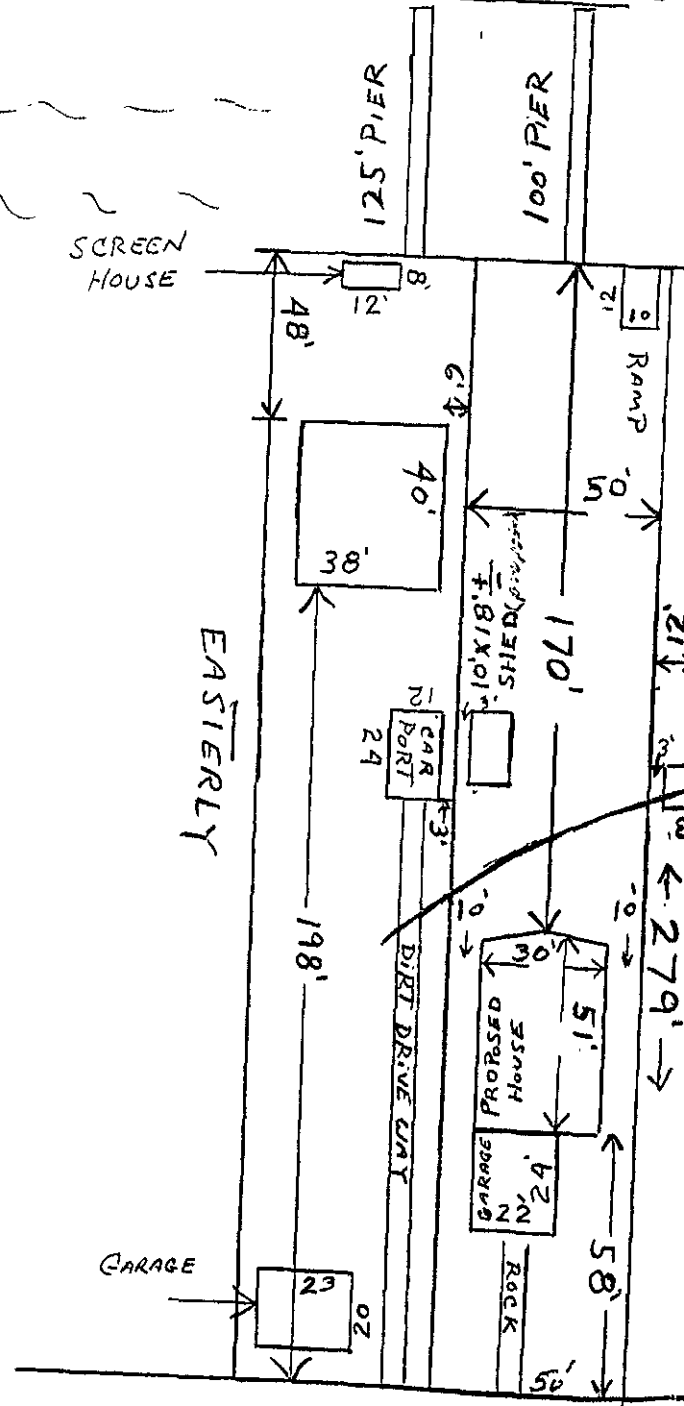
Plat to accompany Petition

PROPERTY ADDRESS: 1232 SUSQUEHANNA

Subdivision name: LONG BEACH

plat book# 03, folio# 178, lot# 46, section#

OWNER: MICHAEL BENTZ



North

date: 4-8-96

prepared by: M Bentz

SUSQUEHANNA

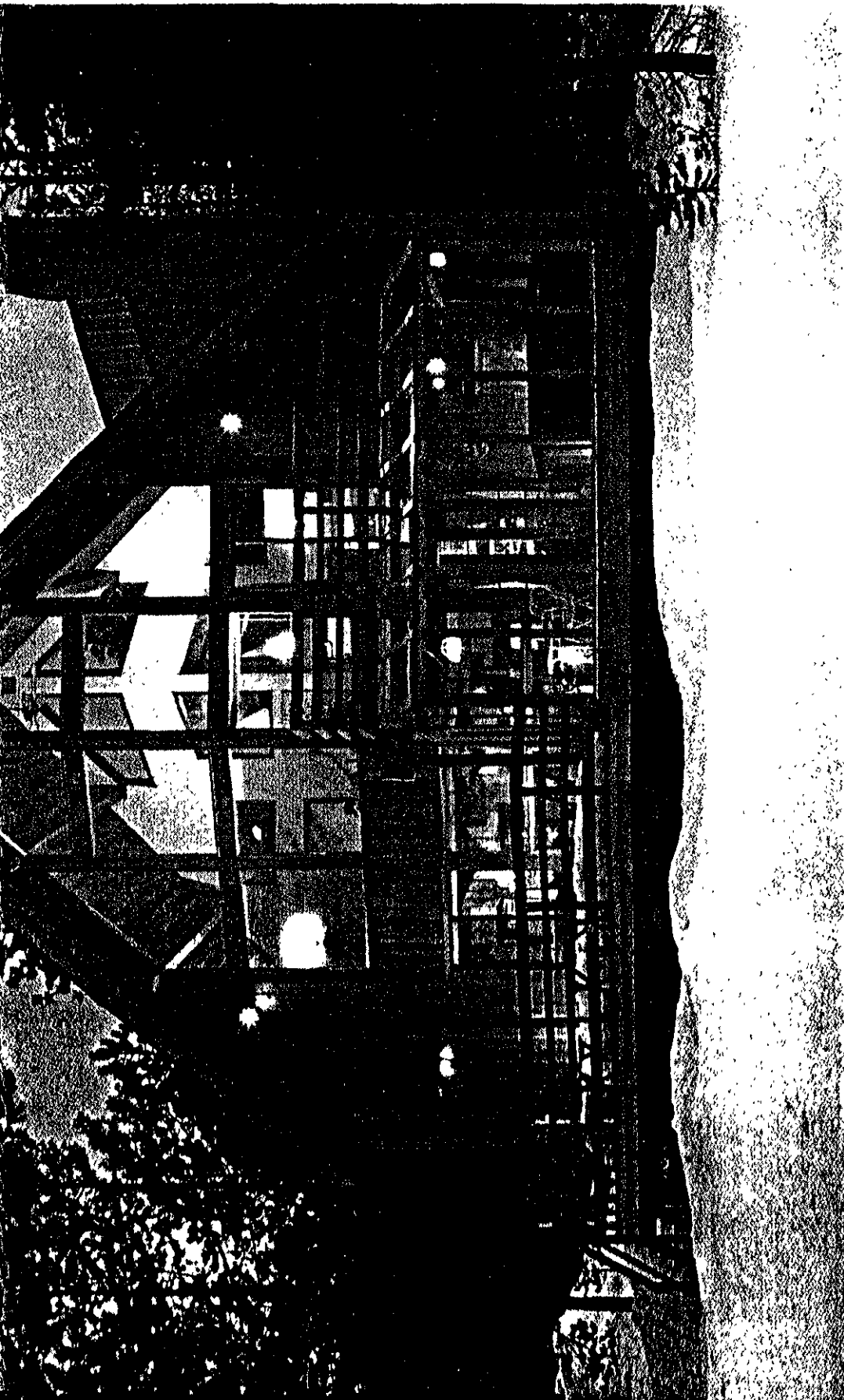
Scale of Drawing
SOUTHERLY

MICROFILMED

RECEIVED

APR 22 1996

OFFICE OF
PLANNING



California

RECEIVED
APR 23 1968
OFFICE OF
PLANNING

MICROFILMED

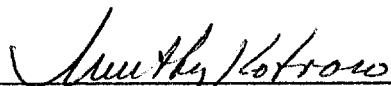


Kodak *ds*
digital science™

DEMO

THEREFORE, IT IS ORDERED by the Deputy Zoning Commissioner for Baltimore County this 31st day of May, 1996 that the Petition for Variance seeking relief from Section 1B02.3.C.1 of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit a lot width of 50 feet at the front building line in lieu of the required 70 feet and a sum of the side yard setbacks of 20 feet in lieu of the required 25 feet for a proposed dwelling, in accordance with Petitioner's Exhibit 1, be and is hereby GRANTED, subject to the following restrictions:

- 1) The Petitioners may apply for their building permit and be granted same upon receipt of this Order; however, Petitioners are hereby made aware that proceeding at this time is at their own risk until such time as the 30-day appellate process from this Order has expired. If, for whatever reason, this Order is reversed, the relief granted herein shall be rescinded.
- 2) Compliance with the Zoning Plans Advisory Committee comments submitted by the Development Plans Review Division of the Department of Permits and Development Management (DPDM) dated April 26, 1996 and the comments submitted by the Department of Environmental Protection and Resource Management (DEPRM), dated April 23, 1996, copies of which have been attached hereto and made a part hereof.
- 3) When applying for a building permit, the site plan filed must reference this case and set forth and address the restrictions of this Order.


TIMOTHY M. KOTROCO
Deputy Zoning Commissioner
for Baltimore County

TMK:bjs

ORDER RECEIVED FOR FILING

Date

By

MICROFILMED

IN RE: PETITION FOR VARIANCE
NE/S Susquehanna Avenue, 80' W
of the c/l of Patapsco Avenue
(1232 Susquehanna Avenue)
15th Election District
5th Councilmanic District
* BEFORE THE
* DEPUTY ZONING COMMISSIONER
* OF BALTIMORE COUNTY
* Case No. 96-395-A
Michael T. Bentz and
Sheila S. Towle - Petitioners

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before the Deputy Zoning Commissioner as a Petition for Variance for that property known as 1232 Susquehanna Avenue, located in the vicinity of Middle River Avenue in Bowleys Quarters. The Petition was filed by the owners of the property, Michael T. Bentz and Sheila S. Towle. The Petitioners seek relief from Section 1802.3.C.1 of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit a lot width of 50 feet at the front building line in lieu of the required 70 feet and a sum of the side yard setbacks of 20 feet in lieu of the required 25 feet for a proposed dwelling. The subject property and relief sought are more particularly described on the site plan submitted which was accepted and marked into evidence as Petitioner's Exhibit 1.

Appearing at the hearing on behalf of the Petition was Michael Bentz, co-owner of the property. There were no Protestants present.

Testimony and evidence presented revealed that the subject property consists of 13,950 sq.ft., more or less, zoned D.R. 3.5 and is presently improved with a single family dwelling which has existed on the property for some time. The property is located within the Chesapeake Bay Critical Areas and fronts on Frog Mortar Creek in an older subdivision known as Lone Beach. The Petitioners wish to raze the existing dwelling and construct a new home on the property in the location shown on Petitioner's

Exhibit 1. Due to the narrow width of the lot, the relief requested is necessary in order to proceed as proposed. Further testimony revealed that the existing dwelling is located 6 inches off of the western property line and 16 feet off of the eastern property line. The Petitioners propose to center the new dwelling on the lot, thereby providing 10-foot side setbacks on each side. Furthermore, the Petitioners wish to position the new dwelling a little closer to the water than the existing dwelling. In support of their request, Mr. Bentz submitted a letter from the adjoining neighbors indicating they have no objections to the relief requested.

After due consideration of the testimony and evidence presented, in the opinion of the Deputy Zoning Commissioner, the relief requested sufficiently complies with the requirements of Sections 307.1, 307.2 and 500.14 of the Baltimore County Zoning Regulations (B.C.Z.R.) and should therefore be granted. There is no evidence in the record that the subject variance would adversely affect the health, safety, and/or general welfare of the public. Furthermore, strict compliance with the B.C.Z.R. would result in practical difficulty and/or unreasonable hardship upon the Petitioner.

The facts and evidence presented tend to establish that special conditions or circumstances exist which are peculiar to the land or structures located within the Chesapeake Bay Critical Areas of Baltimore County; that to deny the relief requested would result in practical difficulty, unreasonable hardship, or severe economic hardship upon the Petitioner; and that strict compliance with the Chesapeake Bay Critical Area requirements and the B.C.Z.R. would deprive the Petitioner of rights commonly enjoyed by other properties in similar areas within the Chesapeake Bay Critical Areas in Baltimore County. The granting of the relief requested

- 2 -

will not confer upon the Petitioner any special privilege that would be denied by the critical area regulations to other lands or structures within the Chesapeake Bay Critical Areas. The relief requested is in harmony with the general spirit and intent of the Critical Areas legislation for Baltimore County and conforms to the requirements as set forth in Section 500.14 of the B.C.Z.R.

In accordance with Section 500.14 of the B.C.Z.R., the Director of the Department of Environmental Protection and Resource Management has submitted recommendations which describe what steps the Petitioner must take to insure that the relief requested complies with the following Chesapeake Bay Critical Areas requirements to:

- 1) Minimize adverse impacts on water quality that result from pollutants that are discharged from structures or conveyances or that have run off from surrounding lands;
- 2) Conserve fish, wildlife, and plant habitat; and
- 3) Be consistent with established land use policies for development in the Chesapeake Bay Critical Area which accommodate growth and also address the fact that, even if pollution is controlled, the number, movement, and activities of persons in that area can create adverse environmental impacts.

These recommendations shall be attached hereto and become a permanent part of the decision rendered in this case. There is no evidence in the record that the relief requested would adversely affect the health, safety, and/or general welfare of the public provided there is compliance with the requirements of the Department of Environmental Protection and Resource Management as more fully described below.

Pursuant to the advertisement, posting of the property, and public hearing on this Petition held, and for the reasons given above, the relief requested should be granted.

- 3 -

THEREFORE, IT IS ORDERED by the Deputy Zoning Commissioner for Baltimore County this 31st day of May, 1996 that the Petition for Variance seeking relief from Section 1802.3.C.1 of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit a lot width of 50 feet at the front building line in lieu of the required 70 feet and a sum of the side yard setbacks of 20 feet in lieu of the required 25 feet for a proposed dwelling, in accordance with Petitioner's Exhibit 1, be and is hereby GRANTED, subject to the following restrictions:

- 1) The Petitioners may apply for their building permit and be granted same upon receipt of this Order; however, Petitioners are hereby made aware that proceeding at this time is at their own risk until such time as the 30-day appellate process from this Order has expired. If, for whatever reason, this Order is reversed, the relief granted herein shall be rescinded.
- 2) Compliance with the Zoning Plans Advisory Committee comments submitted by the Development Plans Review Division of the Department of Permits and Development Management (DPDM) dated April 26, 1996 and the comments submitted by the Department of Environmental Protection and Resource Management (DEPRM), dated April 23, 1996, copies of which have been attached hereto and made a part hereof.
- 3) When applying for a building permit, the site plan filed must reference this case and set forth and address the restrictions of this Order.

Timothy M. Kotrocco
TIMOTHY M. KOTROCCO
Deputy Zoning Commissioner
for Baltimore County

TMK:bjs


- 4 -

ORDER RECEIVED FOR FILING
Date 5/31/96
By [Signature]

ORDER RECEIVED FOR FILING
Date 5/31/96
By [Signature]

ORDER RECEIVED FOR FILING
Date 5/31/96
By [Signature]

ORDER RECEIVED FOR FILING
Date 5/31/96
By [Signature]

Baltimore County Government
Zoning Commissioner
Office of Planning and Zoning

Suite 112 Courthouse
400 Washington Avenue
Towson, MD 21204
(410) 887-4386
May 31, 1996

Mr. Michael T. Bentz
Ms. Sheila S. Towle
2901 Eastern Boulevard
Baltimore, Maryland 21220

RE: PETITION FOR VARIANCE
NE/S Susquehanna Avenue, 80' W of the c/l of Patapsco Avenue
(1232 Susquehanna Avenue)
15th Election District - 5th Councilmanic District
Michael T. Bentz and Sheila S. Towle - Petitioners
Case No. 96-395-A

Dear Mr. Bentz & Ms. Towle:

Enclosed please find a copy of the decision rendered in the above-captioned matter. The Petition for Variance has been granted in accordance with the attached Order.

In the event any party finds the decision rendered is unfavorable, any party may file an appeal to the County Board of Appeals within thirty (30) days of the date of this Order. For further information on filing an appeal, please contact the Zoning Administration and Development Management office at 887-3391.

Very truly yours,
Timothy M. Kotrocco
TIMOTHY M. KOTROCCO
Deputy Zoning Commissioner
for Baltimore County

TMK:bjs

cc: Chesapeake Bay Critical Areas Commission
45 Calvert Street, 2nd Floor, Annapolis, Md. 21401

DEPRM; People's Counsel

File



Petition for Variance to the Zoning Commissioner of Baltimore County

for the property located at 1232 SUSQUEHANNA AVE
96-395-A which is presently zoned DR 3.5.

This Petition shall be filed with the Office of Zoning Administration & Development Management. The undersigned, legal owner(s) of the property situated in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Variance from Section(s) 1802.3.C.1 (CHART) to Allow A 50 FT. LOT WIDTH AT FRONT BUILDING LINE IN LIEU OF THE REQUIRED 70' IN DR 3.5 ZONE and a sum of side yard setbacks of 20 ft. in lieu of the required 25 ft.

of the Zoning Regulations of Baltimore County, to the Zoning Law of Baltimore County, for the following reasons (indicate hardship or practical difficulty)

SEE ATTACHED

Property is to be posted and advertised as prescribed by Zoning Regulations. I or we, agree to pay expenses of above Variance advertising, posting, etc., upon filing of this petition, and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law for Baltimore County.

Contract Purchaser/Lessor:

(Type or Print Name)

Signature

Address

City State Zipcode

Attorney for Petitioner:

(Type or Print Name)

Signature

Address

City State Zipcode

We do solemnly declare and affirm, under the penalties of perjury, that I/we are the legal owner(s) of the property which is the subject of this Petition.

Legal Owner(s)

(Type or Print Name)

Signature

Address

City State Zipcode

Attorney for Petitioner:

(Type or Print Name)

Signature

Address

City State Zipcode

Name, Address and phone number of representative to be contacted

City State Zipcode

Address

City State Zipcode

Phone No.

Address

City State Zipcode

Phone No.

Address

City State Zipcode

Phone No.

Address

City State Zipcode

Phone No.

Address

City State Zipcode

Phone No.

Address

City State Zipcode

Phone No.

Address

City State Zipcode

Phone No.

PRACTICAL DIFFICULTY OF LARGE TREES
GROWING INTO SIDE OF HOUSE WITH
EXTENSIVE TERMITE DAMAGE TO STUDS
AND BASE BORDERS IN SIDE OF WALLS.
HOUSE WAS USED FOR SUMMER HOME
ONLY VERY LITTLE INSULATION IN
WALLS OR ATTIC SPACE NO WEATHER
STRAPPING OR WEATHER PROOF WINDOWS
IN HOUSE. IN 1994 WATER PILES
BROKE UNDER SLAB FOUNDATION
FROM FREEZING AND RAN FOR 2 DAYS
FLOODING THE HOUSE. HOUSE IS ONLY
1/2 FEET FROM PROPERTY LINE
OLD DWELLING IS 33' WIDE BY 50' LONG
NEW HOUSE MEASURES 30' WIDE BY 51' LONG
WOULD LIKE TO SAVE TREES ON
WATER SIDE OF PROPERTY

MICHAEL BENTZ
4-9-96

ZONING DESCRIPTION

ZONING DESCRIPTION FOR 1232 SUSQUEHANNA AVENUE
BEGINNING AT A POINT ON THE NORTH EAST SIDE OF
SUSQUEHANNA AVENUE WHICH IS 50 FEET WIDE AT THE
DISTANCE OF 80 +/- FEET, WEST OF THE CENTER LINE OF
THE NEAREST IMPROVED INTERSECTING STREET PATAPSCO AVE.
WHICH IS 18 +/- FEET. BEING LOT 846 AS RECORDED IN
BALTIMORE COUNTY PLAT BOOK 803, FOLIO 1178 CONTAINING
13,950 SQUARE FEET. ALSO KNOWN AS 1232 SUSQUEHANNA
AVENUE AND LOCATED IN THE 15 ELECTION DISTRICT.

96-395-A

391

CERTIFICATE OF POSTING
ZONING DEPARTMENT OF BALTIMORE COUNTY
Towson, Maryland

96-395-A

District: 15th Date of Posting: 4/19/96
Posted for: MAY 17, 1996 HEARING
Petitioner: MICHAEL T. BENTZ & SHEILA TOWLE
Location of property: 1232 SUSQUEHANNA AVE
Location of Sign: Facing Toward on property being zoned
Remarks: _____
Posted by: [Signature] Date of return: 4/26/96
Number of Signs: 1

BALTIMORE COUNTY, MARYLAND
OFFICE OF FINANCE - REVENUE DIVISION
MISCELLANEOUS CASH RECEIPT

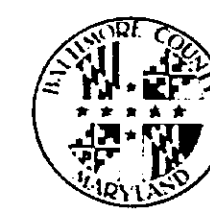
DATE: 4-19-96 ACCOUNT: R-601 4150
96-395-A AMOUNT: \$ 85.00
RECEIVED FROM: Michael T. Bentz & Sheila Towle
FOR: Sign & Postage
BALANCE DUE: 0.00
TOTAL: 85.00
CASHIER: [Signature] DATE: 4-19-96
OFFICIAL: [Signature] DATE: 4-19-96
BALANCE DUE: 0.00 TOTAL: 85.00

CERTIFICATE OF PUBLICATION

TOWSON, MD., 4/25, 1996
THIS IS TO CERTIFY, that the annexed advertisement was published in THE JEFFERSONIAN, a weekly newspaper published in Towson, Baltimore County, Md., once in each of 1 successive weeks, the first publication appearing on 4/25, 1996.

THE JEFFERSONIAN,

A. Henickson
LEGAL AD. - TOWSON



Baltimore County
Department of Permits and
Development Management

Development Processing
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204

ZONING HEARING ADVERTISING AND POSTING REQUIREMENTS & PROCEDURES

Baltimore County zoning regulations require that notice be given to the general public/neighborhood property owners relative to property which is the subject of an upcoming zoning hearing. For those petitions which require a public hearing, this notice is accomplished by posting a sign on the property and placement of a notice in at least one newspaper of general circulation in the County.

This office will ensure that the legal requirements for posting and advertising are satisfied. However, the petitioner is responsible for the costs associated with these requirements.

PAYMENT WILL BE MADE AS FOLLOWS:

- 1) Posting fees will be assessed and paid to this office at the time of filing.
- 2) Billing for legal advertising, due upon receipt, will come from and should be remitted directly to the newspaper.

NON-PAYMENT OF ADVERTISING FEES WILL STAY ISSUANCE OF ZONING ORDER.

ARNOLD JABLON, DIRECTOR

For newspaper advertising:

Item No.: 391 Petitioner: MICHAEL BENTZ
Location: 1232 SUSQUEHANNA AVE BALTO MD 21220

PLEASE FORWARD ADVERTISING BILL TO:

NAME: MICHAEL BENTZ
ADDRESS: 1232 SUSQUEHANNA AVE
BALTO MD 21220
PHONE NUMBER: 410-539-1730 410-780-7762

12

SCHEDULED DATES, CERTIFICATE OF FILING AND POSTING
FOR A BUILDING PERMIT APPLICATION PURSUANT TO SECTION 304.2
DEPARTMENT OF PERMITS & DEVELOPMENT MANAGEMENT
County Office Building
111 W. Chesapeake Avenue
Towson, Maryland 21204

The application for your proposed Building Permit Application has been accepted for filing by [Signature] on 4-19-96 Date (A)

A sign indicating the proposed Building must be posted on the property for fifteen (15) days before a decision can be rendered. The cost of filing is \$50.00 and posting \$35.00; total \$85.00.

In the absence of a request for public hearing during the 15-day posting period, a decision can be expected within approximately four weeks. However, if a valid demand is received by the closing date, then the decision shall only be rendered after the required public special hearing.

*SUGGESTED POSTING DATE 4-30-96 D (15 Days Before C)

DATE POSTED _____

HEARING REQUESTED-YES _____ NO _____ DATE _____

CLOSING DAY (LAST DAY FOR HEARING DEMAND) 5-14-96 C (B-3 Work Days)

TENTATIVE DECISION DATE 5-18-96 B (A + 30 Days)

*Usually within 15 days of filing

CERTIFICATE OF POSTING

District: _____
Location of property: _____
Posted by: _____ Signature _____ Date of Posting: _____
Number of Signs: _____

TO: FUTURE PUBLISHING COMPANY
April 25, 1996 Issue - Jeffersonian

Please forward billing to:

Michael Bentz
1232 Susquehanna Avenue
Baltimore, MD 21220
780-9762

NOTICE OF HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing on the property identified herein in Room 106 of the County Office Building, 111 W. Chesapeake Avenue in Towson, Maryland 21204 or Room 118, Old Courthouse, 400 Washington Avenue, Towson, Maryland 21204 as follows:

CASE NUMBER: 96-395-A (Item 391)
1232 Susquehanna Avenue
80'-0" x 120'-0" of c/o Potapow Avenue
15th Election District - 5th Councilmatic
Legal Owner(s): Michael T. Bentz and Sheila J. Towle

Variance to allow a 50-foot lot width at front building line in lieu of the required 70 feet and a sum of side yard setbacks of 25 feet in lieu of the required 25 feet.

HEARING: FRIDAY, MAY 17, 1996 at 2:00 p.m. in Room 106, County Office Building.

LAWRENCE E. SCHMIDT
ZONING COMMISSIONER FOR BALTIMORE COUNTY

NOTES: (1) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL 887-3353.
(2) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, CONTACT THIS OFFICE AT 887-3391.



Baltimore County
Department of Permits and
Development Management

Development Processing
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204

April 17, 1996

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Arnold Jablon
Director

cc: Michael T. Bentz and Sheila J. Towle

NOTES: (1) ZONING SIGN & POST MUST BE RETURNED TO RM. 104, 111 W. CHESAPEAKE AVENUE OF THE HEARING DATE.
(2) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL 887-3353.
(3) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, CONTACT THIS OFFICE AT 887-3391.



Baltimore County
Department of Permits and
Development Management

Development Processing
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204

May 10, 1996

Michael T. Bentz and Sheila J. Towle
2901 Eastern Boulevard
Baltimore, MD 21220

RE: Item No.: 391
Case No.: 96-395-A
Petitioner: Michael Bentz, et al

Dear Mr. Bentz and Ms. Towle:

The Zoning Advisory Committee (ZAC), which consists of representatives from Baltimore County approval agencies, has reviewed the plans submitted with the above referenced petition, which was accepted for processing by Permits and Development Management (PDM), Zoning Review, on April 26, 1996.

Any comments submitted thus far from the members of ZAC that offer or request information on your petition are attached. These comments are not intended to indicate the appropriateness of the zoning action requested, but to assure that all parties (zoning commissioner, attorney, petitioner, etc.) are made aware of plans or problems with regard to the proposed improvements that may have a bearing on this case. Only those comments that are informative will be forwarded to you; those that are not informative will be placed in the permanent case file.

If you need further information or have any questions regarding these comments, please do not hesitate to contact the commenting agency or Joyce Watson in the zoning office (887-3391).

Sincerely,

W. Carl Richards, Jr.
W. Carl Richards, Jr.
Zoning Supervisor

WCR/jw
Attachment(s)

Printed with Soybean Ink
on Recycled Paper

Baltimore County Government
Fire Department



700 East Joppa Road
Towson, MD 21286-5500

Office of the Fire Marshal
(410) 887-4880

DATE: 04/18/96

Arnold Jablon
Director
Zoning Administration and
Development Management
Baltimore County Office Building
Towson, MD 21204
MAIL STOP-1105

RE: Property Owner: SEE BELOW

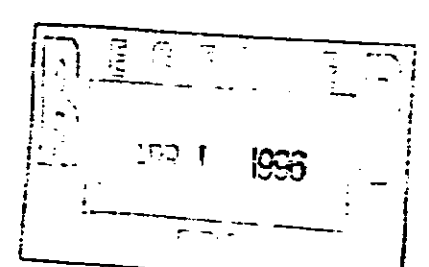
Location: DISTRIBUTION MEETING OF APRIL 22, 1996.

Item No.: SEE BELOW Zoning Agenda:

Gentlemen:

Pursuant to your request, the referenced property has been surveyed by this Bureau and the comments below are applicable and required to be corrected or incorporated into the final plans for the property.

B. The Fire Marshal's Office has no comments at this time. IN REFERENCE TO THE FOLLOWING ITEM NUMBERS: 389, 390, 391, 392, 393, 394, 395, 397 and 398.



REVIEWER: LT. ROBERT P. SAUERWALD
Fire Marshal Office, PHONE 887-4881, MS-1102F

cc: File

Printed with Soybean Ink
on Recycled Paper

BALTIMORE COUNTY, MARYLAND
INTER-OFFICE CORRESPONDENCE

TO: Arnold Jablon, Director
Permits and Development
Management

DATE: April 17, 1996

FROM: Pat Keller, Director
Office of Planning

SUBJECT: Petitions from Zoning Advisory Committee

The Office of Planning has no comments on the following petition(s):
Item Nos. 389, 390, 391, 392, 393, and 395
If there should be any further questions or if this office can provide additional information, please contact Jeffrey Long in the Office of Planning at 887-3480.

Prepared by: Jeffrey M. Long
Division Chief: Darryl L. Kline
PK/JL

ITEM389/PZONE/ZAC1

BALTIMORE COUNTY, MARYLAND
INTER-OFFICE CORRESPONDENCE

TO: Arnold Jablon, Director
Department of Permits & Development
Management

DATE: April 26, 1996

FROM: Robert W. Bowling, Chief
Development Plans Review Division
Department of Permits & Development
Management

SUBJECT: Zoning Advisory Committee Meeting
for April 29, 1996
Item No. 391

The Development Plans Review Division has reviewed the subject zoning item.

The property to be developed is located adjacent to tidewater. The Developer is advised that the proper sections of the Baltimore County Building Code must be followed whereby elevation limitations are placed on the lowest floor (including basements) of residential (commercial) development.

The rear of buildings may not be constructed within 20 feet of the limits of the floodplain as established for a 100-year flood level with a 1 foot freeboard. See Plate D-19 in the Baltimore County Design Manual, adopted 1983 and revised February 1985.

In conformance with Federal Flood Insurance requirements, the first floor or basement floor must be at least 1 foot over the flood plain elevation in all construction.

RWB:HJO:jrb
cc: File

ORDER RECEIVED FOR FILING
Date 5/3/96
By [Signature]

ZONEBB

BALTIMORE COUNTY, MARYLAND
DEPARTMENT OF ENVIRONMENTAL PROTECTION AND RESOURCE MANAGEMENT
INTER-OFFICE CORRESPONDENCE

TO: Mr. Arnold Jablon, Director
Zoning Administration and
Development Management

DATE: April 23, 1996

FROM: Robert A. Wirth APR 24/96
DEPRM

SUBJECT: Zoning Item #391 - Bentz Property
1232 Susquehanna Avenue
Zoning Advisory Committee Meeting of April 22, 1996

The Department of Environmental Protection and Resource Management offers the following comments on the above-referenced zoning item:

Environmental Impact Review

Development of this property must comply with the Chesapeake Bay Critical Area Regulations (Sections 26-436 through 26-461, and other Sections, of the Baltimore County Code).

Ground Water Management

The proposed house plan must be reviewed and approved by Rob Powell. Contact him at 887-2762 for more information.

RAW:SA:RP:sp
c: Michael T. Bentz and Sheila J. Towle
BENTZ/DEPRM/TXTSBP

ORDER RECEIVED FOR FILING
Date 5/3/96
By [Signature]

2/1996

INTER-OFFICE CORRESPONDENCE
RECOMMENDATION FORM

TO: Director, Office of Planning & Community Conservation
Ann Evin McDaniel
County Courts Bldg, Rm 406
401 Bayley Av
Towson, MD 21204

DATE: April 23, 1996

FROM: Arnold Jablon, Director, Department of Permits & Development Management

RE: Undersized Lots
Pursuant to Section 304.2(Baltimore County Zoning Regulations) effective June 25, 1992, this office is requesting recommendations and comments from the Office of Planning & Community Conservation prior to this office's approval of a dwelling permit.

MINIMUM APPLICANT SUPPLIED INFORMATION:
Michael Bentz 2901 Eastern Blvd 780-9762
1232 Susquehanna Ave 5 13950
1232 Susquehanna Ave 80' 15-12-840980 969
Michael Bentz & Sheila Towle 15-12-840980 969
2901 Eastern Blvd 780-9762 589-1730
Baltimore MD 21220

CHECKLIST OF MATERIALS: to be submitted for design review by the Office of Planning & Community Conservation

Item	Yes	No
1. This Recommendation Form (2 copies)	<input checked="" type="checkbox"/>	<input type="checkbox"/>
2. Permit Application	<input type="checkbox"/>	<input type="checkbox"/>
3. Site Plan	<input checked="" type="checkbox"/>	<input type="checkbox"/>
4. Building Elevation Drawings	<input checked="" type="checkbox"/>	<input type="checkbox"/>
5. Photographs (same size as plan sheets) showing Surrounding Neighborhood	<input checked="" type="checkbox"/>	<input type="checkbox"/>

TO BE FILLED IN BY THE OFFICE OF PLANNING & COMMUNITY CONSERVATION ONLY!!
RECOMMENDATIONS/COMMENTS:
☒ Approval ☐ Disapproval ☐ Approval conditioned on required modifications of the permit to conform with the following recommendations:

Signed by: Evin McDaniel
Office of Planning & Community Conservation
Revised 9/5/95

Date: May 1, 1996

RE: PETITION FOR VARIANCE
1232 Susquehanna Avenue, NE/S Susquehanna Avenue, 80' +/- W of c/l Patapsco Avenue
15th Election District, 5th Councilmanic
Michael Bentz and Sheila Towle
Petitioner

BEFORE THE
ZONING COMMISSIONER
OF BALTIMORE COUNTY
CASE NO. 96-395-A

ENTRY OF APPEARANCE

Please enter the appearance of the People's Counsel in the above-captioned matter. Notice should be sent of any hearing dates or other proceedings in this matter and of the passage of any preliminary or final Order.

Peter Max Zimmerman
PETER MAX ZIMMERMAN
People's Counsel for Baltimore County
Charles S. Demilio
CHARLES S. DEMILIO
Deputy People's Counsel
Room 47, Courthouse
400 Washington Avenue
Towson, MD 21204
(410) 887-2188

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 9th day of May, 1996, a copy of the foregoing Entry of Appearance was mailed to Michael Bentz and Sheila Towle, 2901 Eastern Boulevard, Baltimore, MD 21220, Petitioners.

Peter Max Zimmerman
PETER MAX ZIMMERMAN

DEAR NEIGHBORS

I AM APPLYING FOR A VARIANCE FROM THE ZONING COMMISSIONER OF BALTIMORE COUNTY IN ORDER TO BUILD A NEW HOME. IN THIS VARIANCE, THE STANDING STRUCTURE WOULD BE REMOVED AND A NEW STRUCTURE WOULD BE BUILT. MOVING THE NEW HOUSE TO THE CENTER OF THE LOT WITH THE OUTSIDE MEASUREMENTS BEING 30' WIDE BY 51' LONG GIVING 10 FEET ASIDE (THE OLD STRUCTURE MEASURED 33' WIDE BY 58' LONG). I'M ASKING FOR YOUR SIGNATURE OF APPROVAL TO DO SO.

THANK YOU
MICHAEL BENTZ
Sheila Towle
3-30-96

Ann Dwyer 1232 Susquehanna Ave.
Sheila Towle 1232 Susquehanna Ave.
Michael Bentz 1232 Susquehanna Ave.

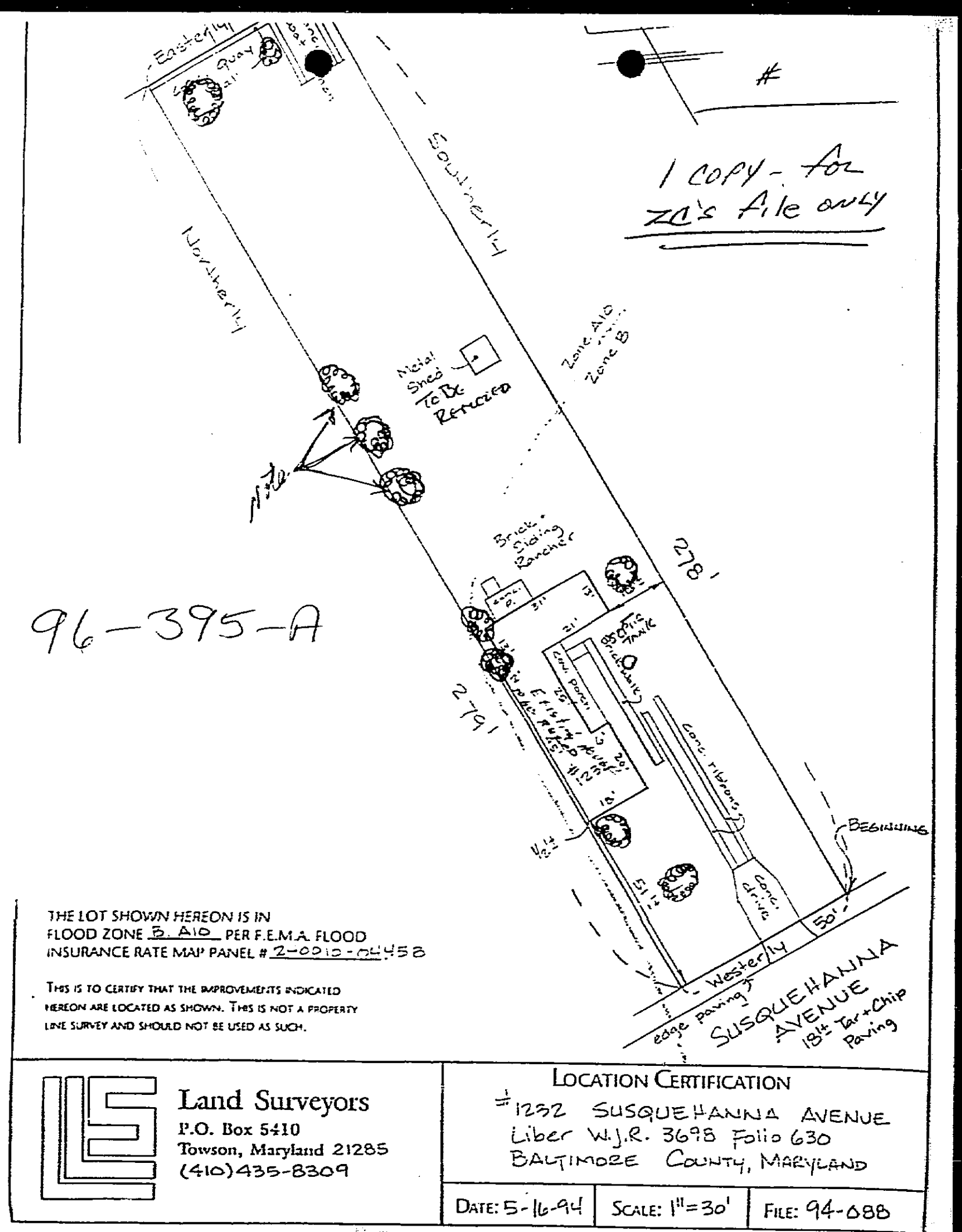
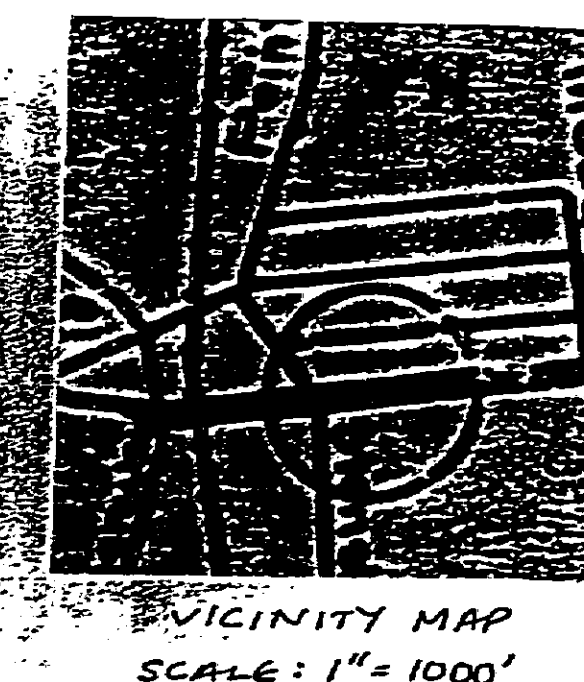
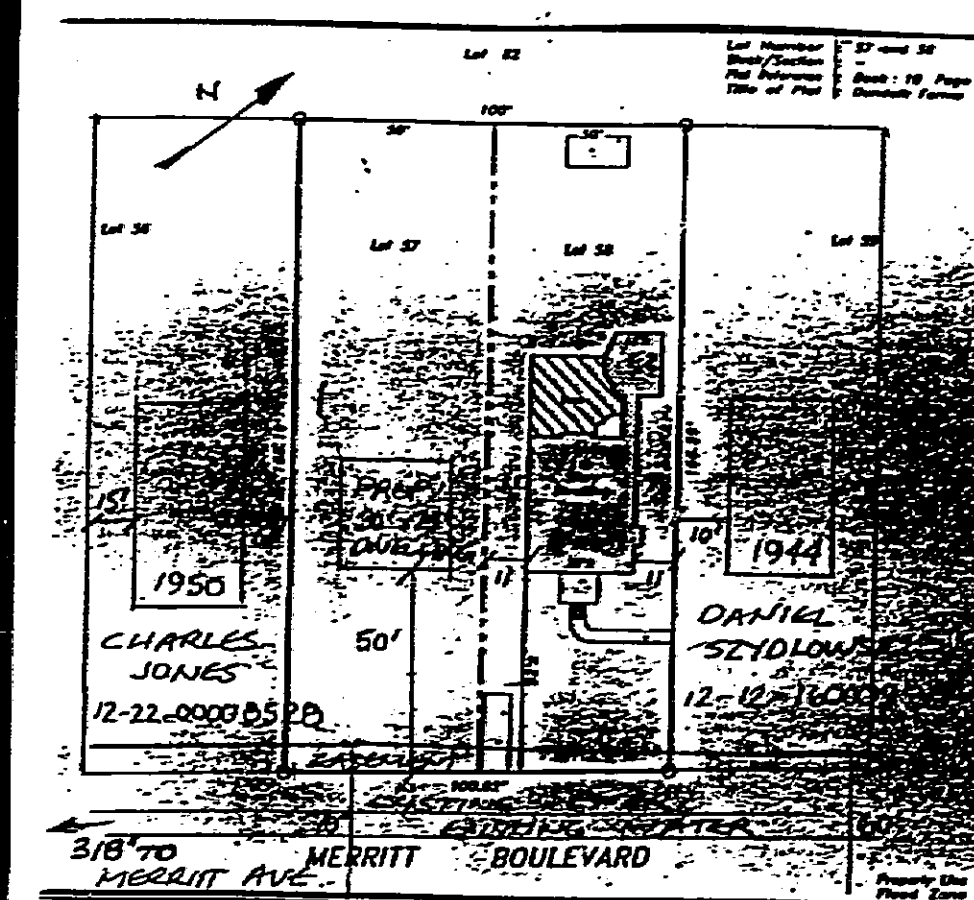
PLAT TO ACCOMPANY PETITION FOR ZONING VARIANCE

Property address: 1948 Merritt Blvd.
Subdivision name: Dundalk Farms
plat book: 10 folio: 53
Owner: Beverly Karras
Date: April 15, 1996
Scale: 1"=50'

Zoning Office Use ONLY!
reviewed by msk item # 402 case # 9

Location Information
Councilmatic District: 7
Election District: 12
1"=200' scale map: SE-4P
Zoning: DR. 5.5

Lot size: .19 acres / 8,049 sq. ft.
Public sewer and water exists
Lot does not lie in Chesapeake Bay Critical Area
No prior zoning hearings



96-395-A



from neighbor yard on left side of house.
Note: trees growing into house.

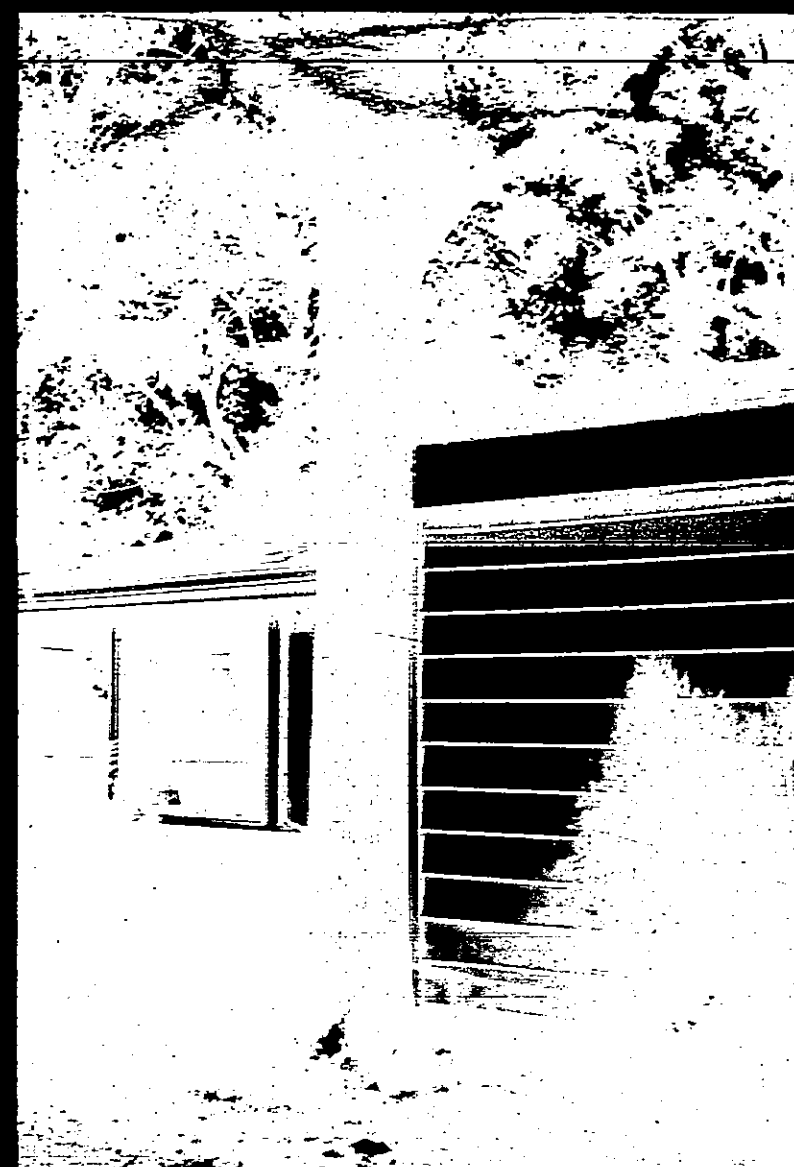


Property line on right side of house from street. Note for location point of yard for rearing.

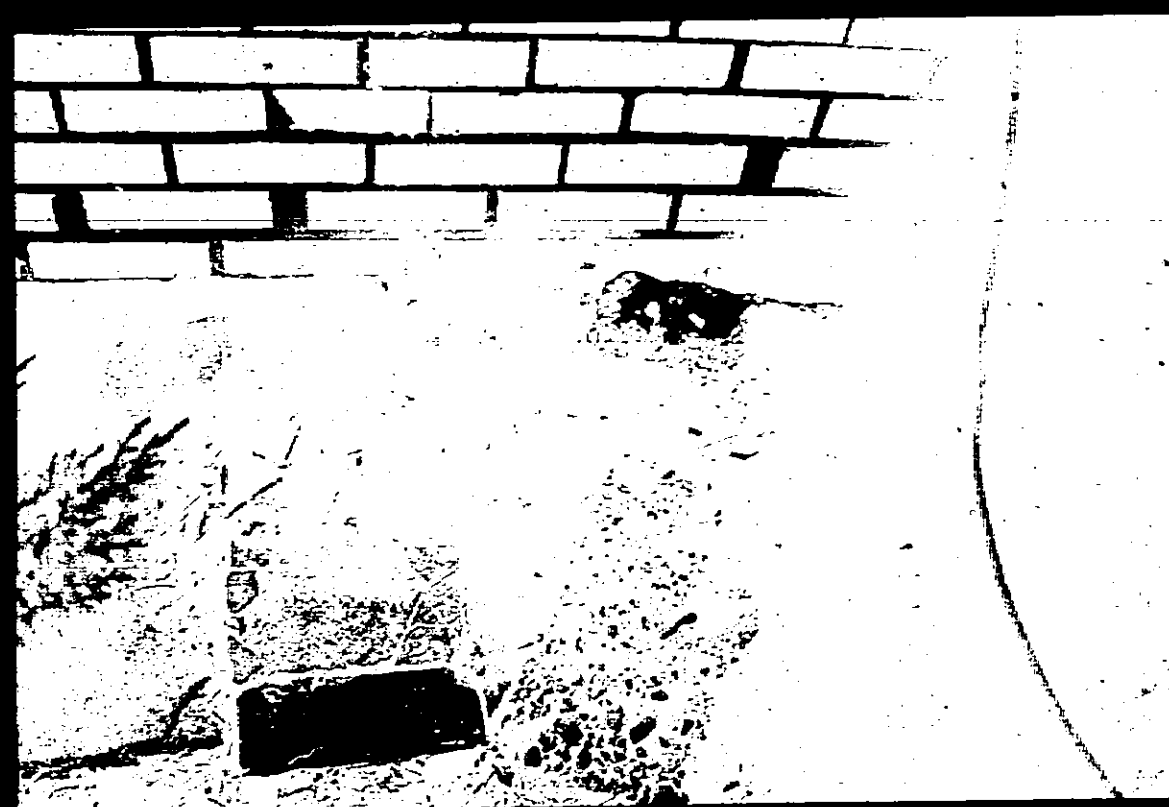


2 of three trees pushing into house.

96-395-A

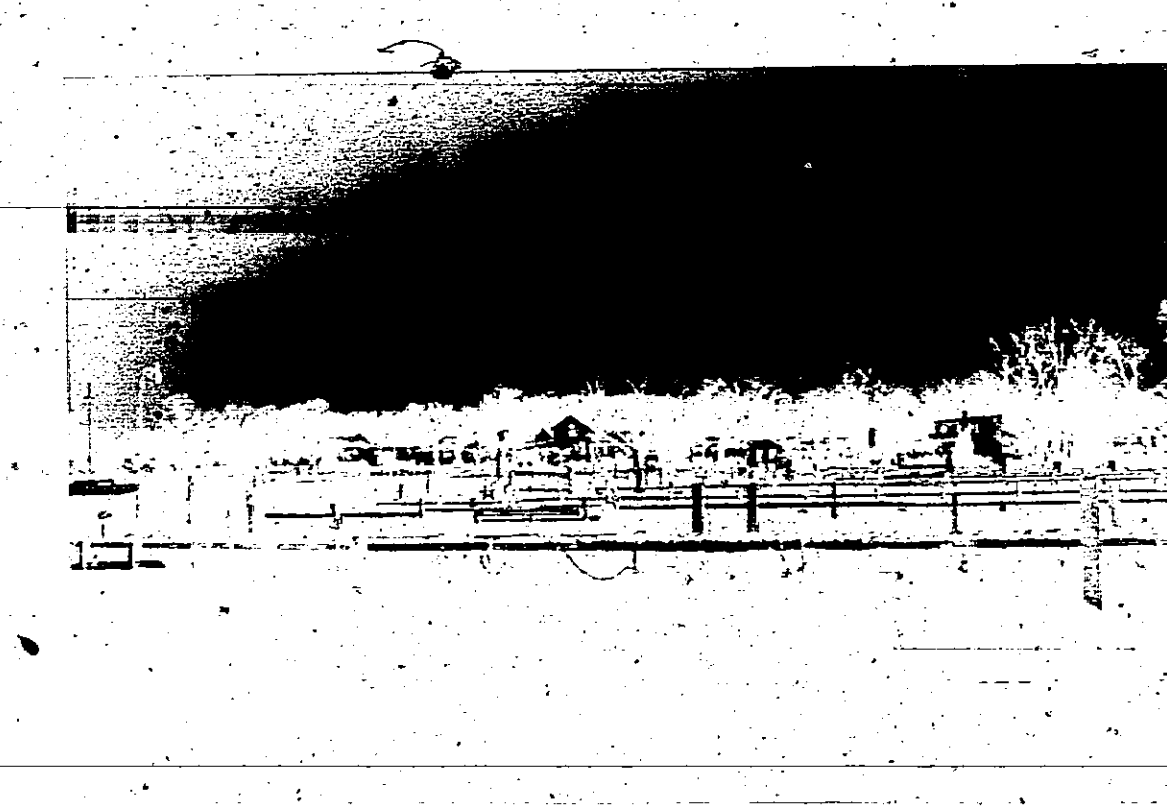
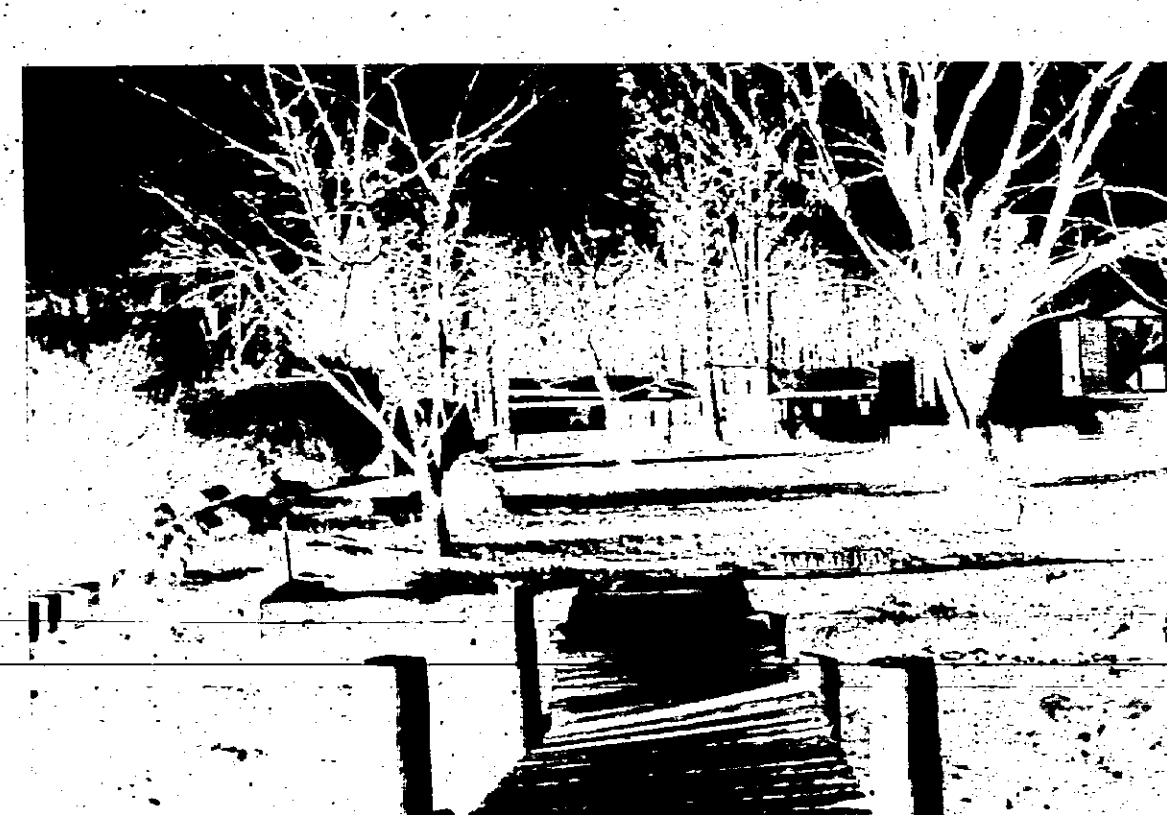
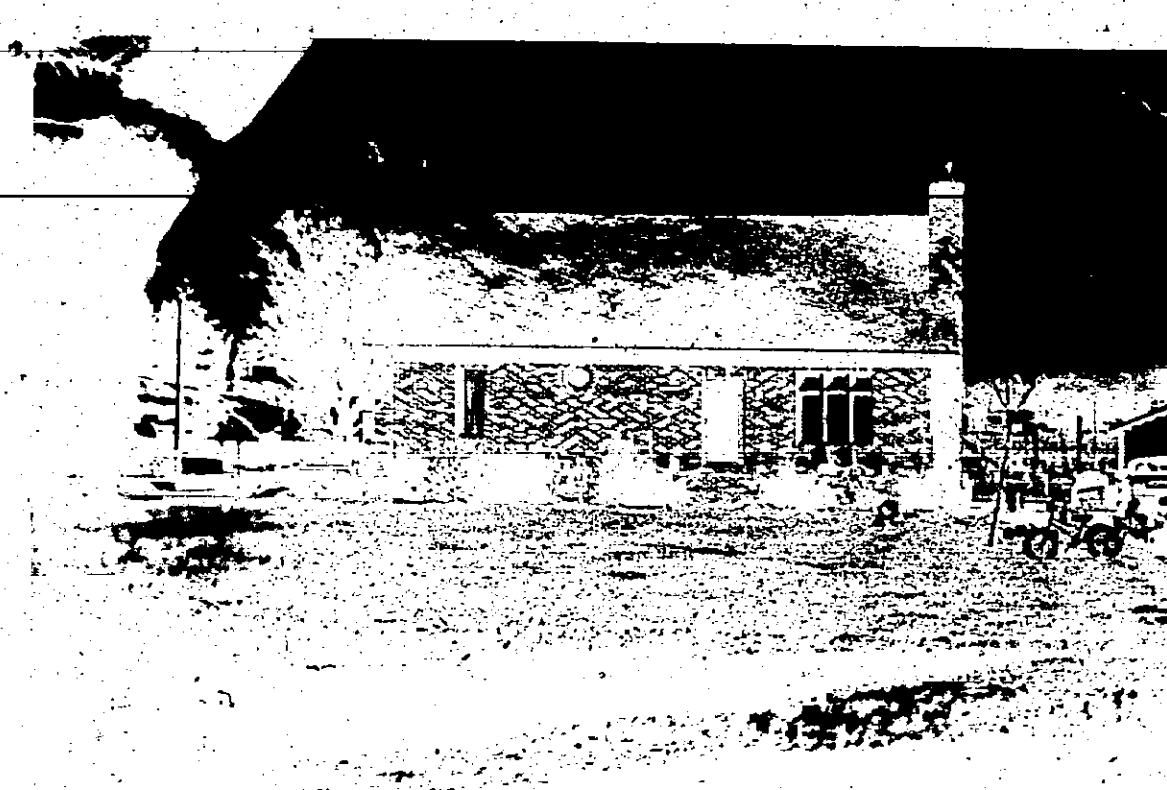


One of three trees pushing into side of house.

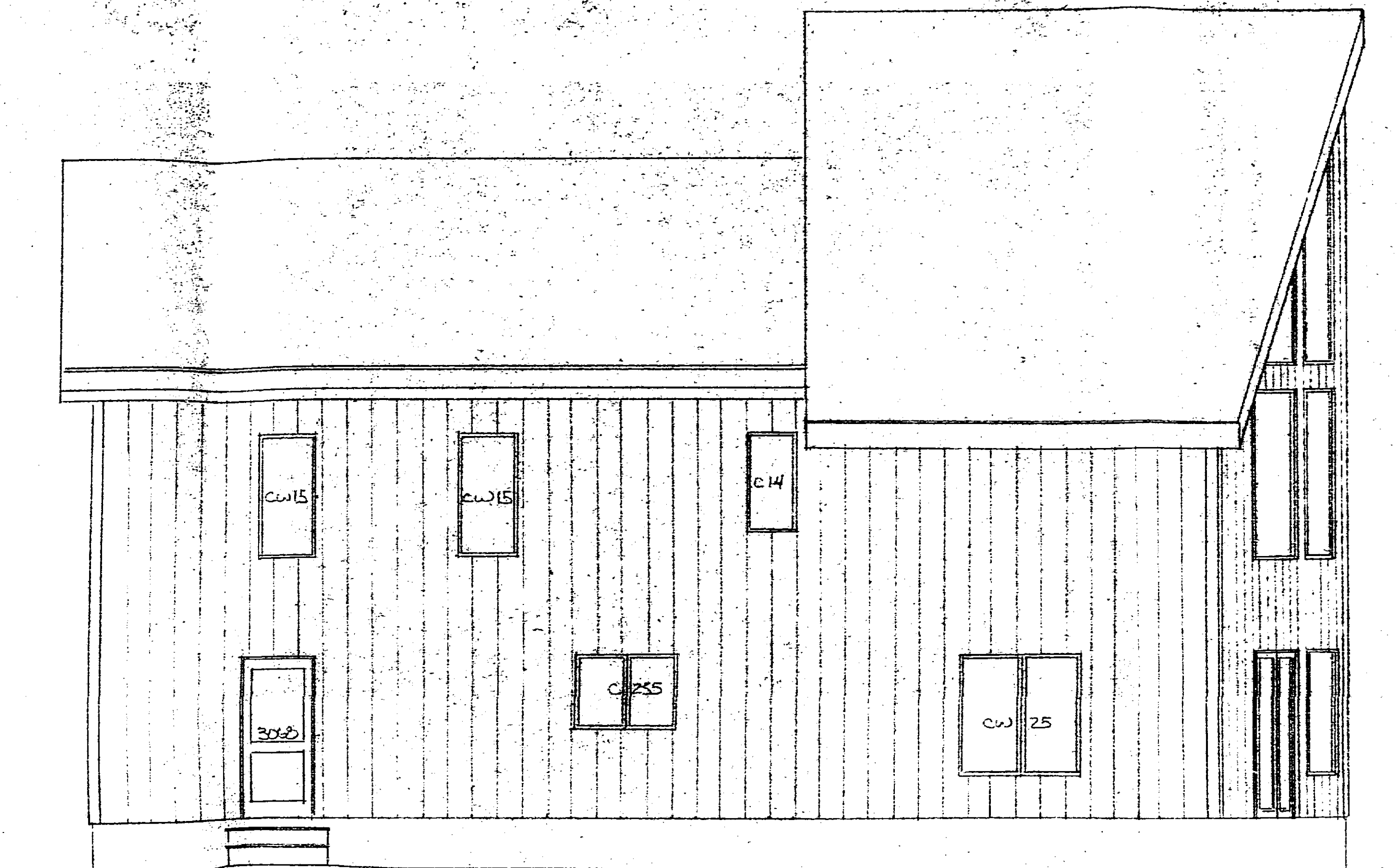


tree growing in base of house.

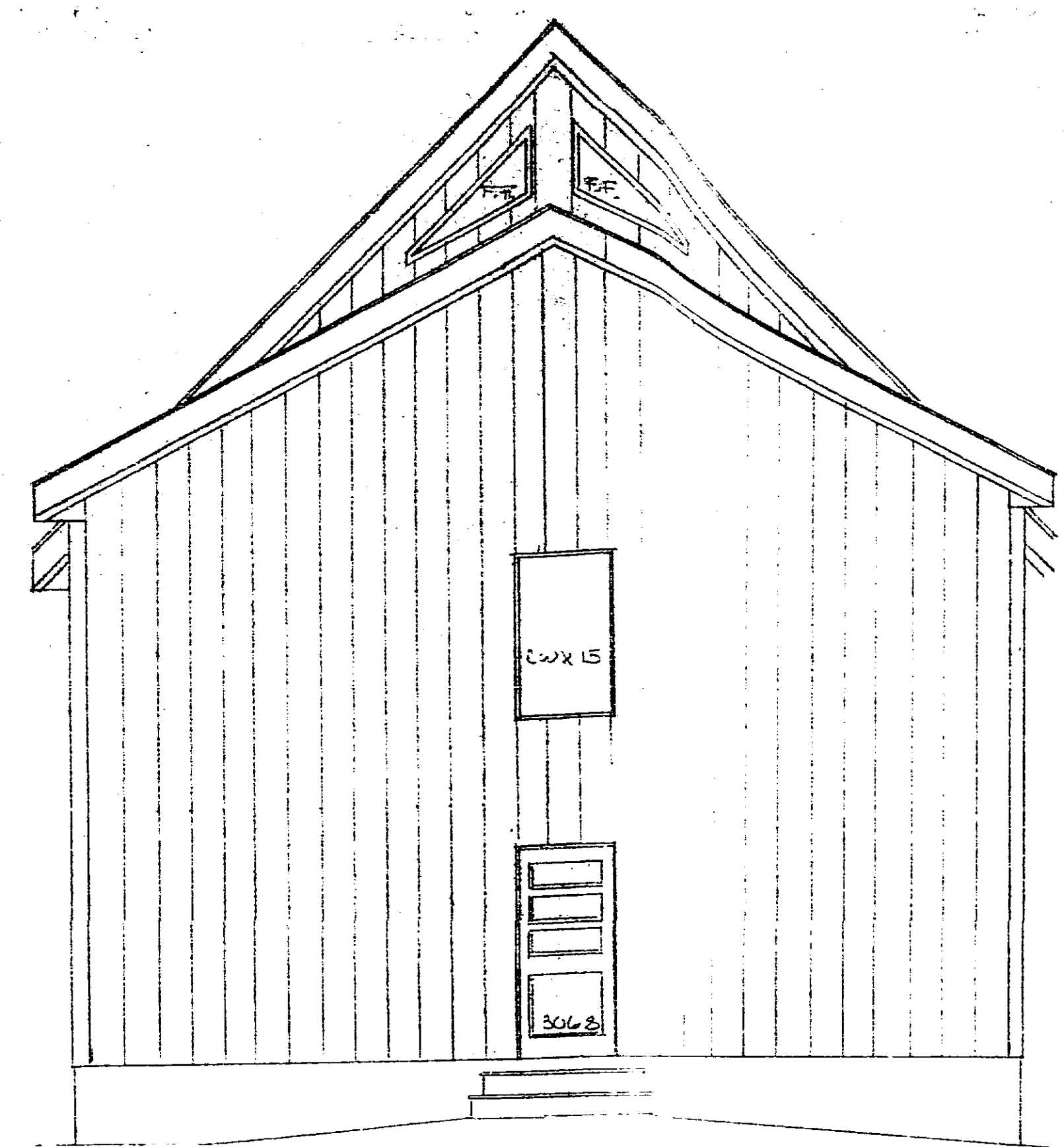
photographs in
Case #
96-395-A



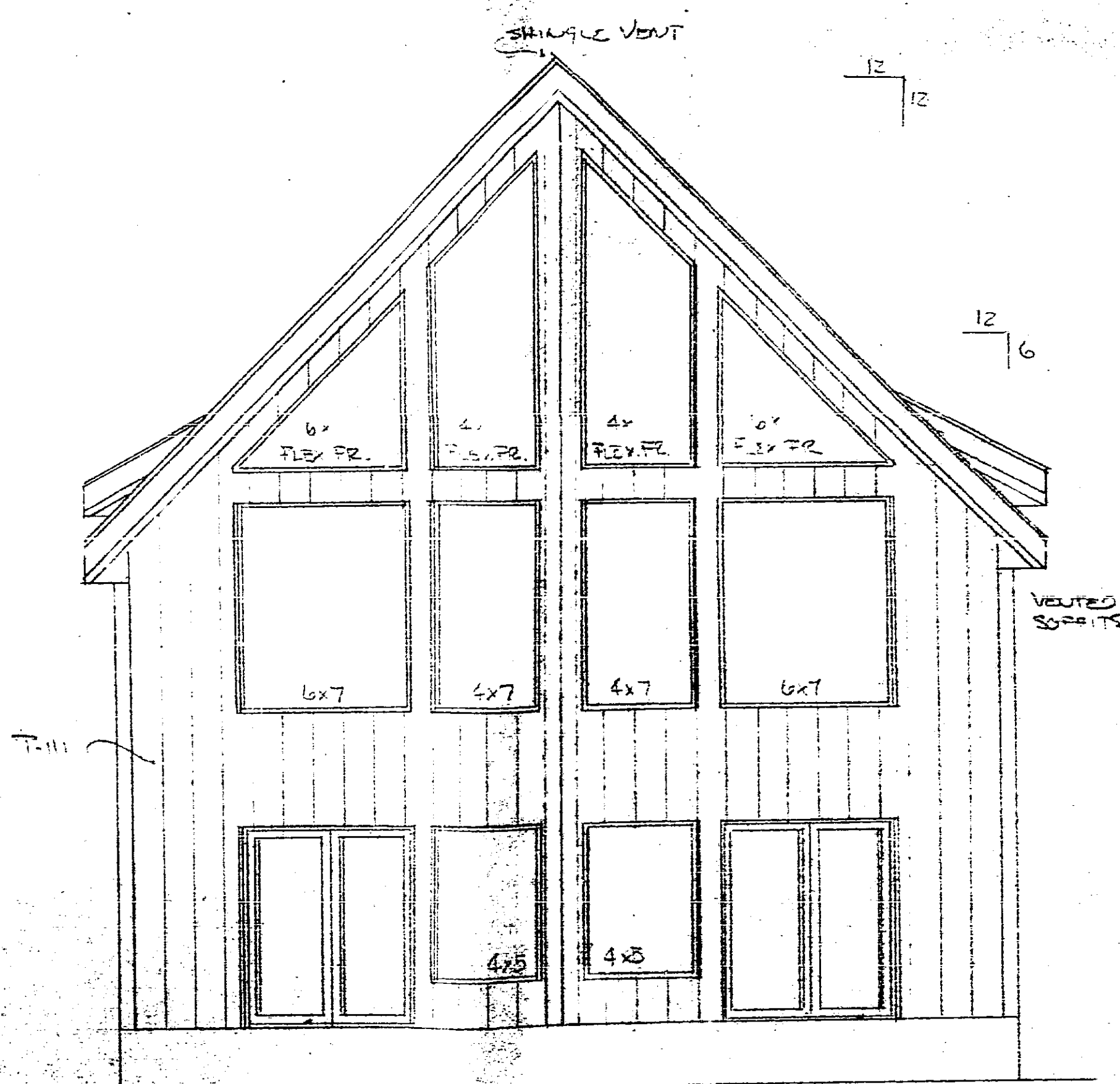
A.R. GRAPHICS
113 GOTHARD RD
LUTHERVILLE MD



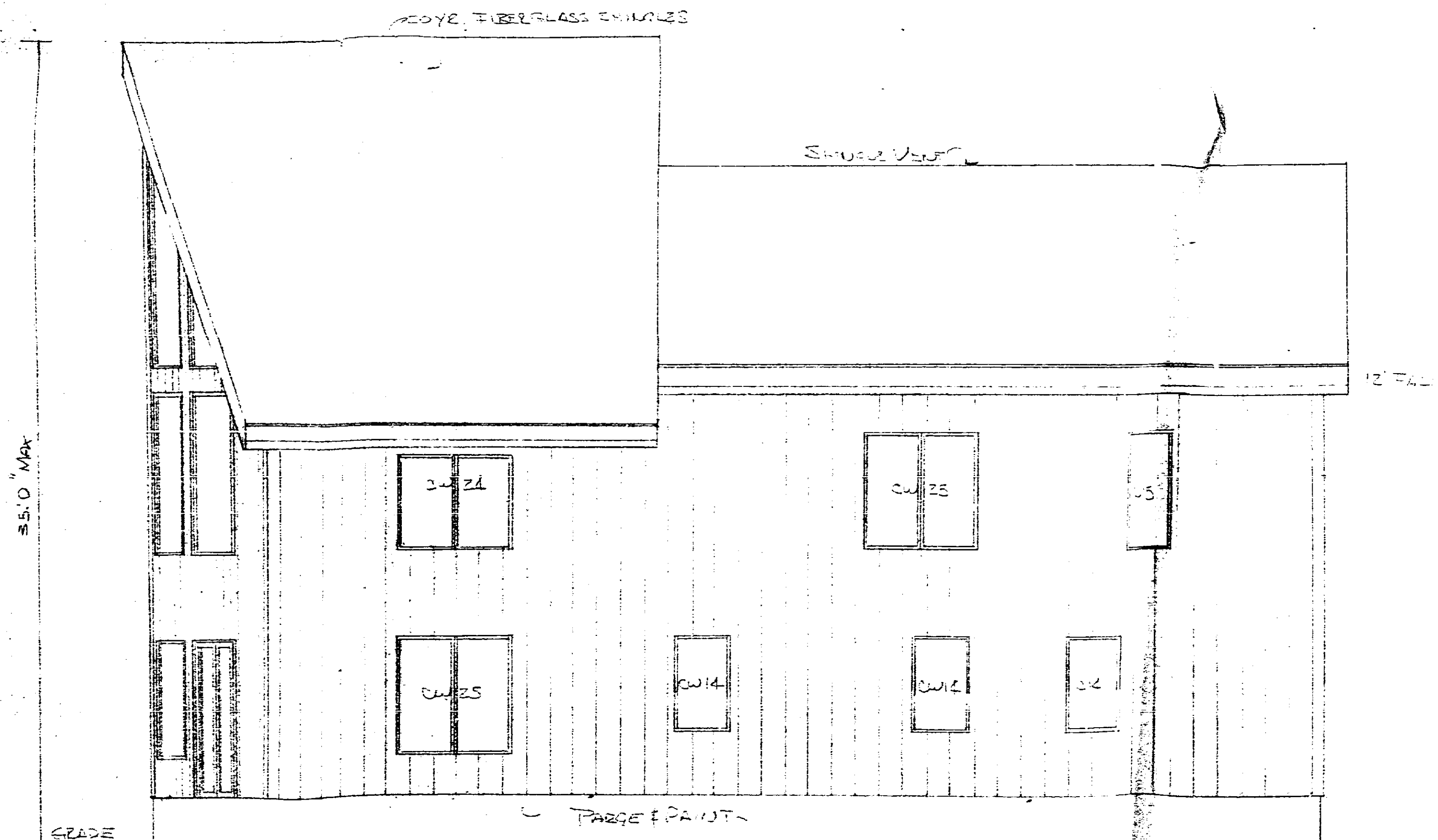
LEFT ELEVATION



REAR ELEVATION



FRONT ELEVATION



RIGHT ELEVATION

RECEIVED

APR 22 1996
OFFICE OF
PLANNING

*****NOTICE*****
STRUCTURE IS TO BE BUILT IN ACCORDANCE WITH LATEST B.O.C./A.C.I. & I.B.C. CODES. LOCAL JURISDICTION MUST BE IN ACCORDANCE WITH THE CLIENTS SPECIFICATIONS WHICH EVER IS MORE STRINGENT.
ONLY STRUCTURAL SIZES INDICATED ON THE DRAWINGS ARE FOR ESTIMATE PURPOSES. THE CLIENT SHALL BE RESPONSIBLE FOR DETERMINING THE STRUCTURAL SIZES AND THE CONTRACTOR SHALL VERIFY ALL MEASUREMENTS AND DIMENSIONS PRIOR TO THE USE OF THESE PLANS FOR ANY PURPOSE.

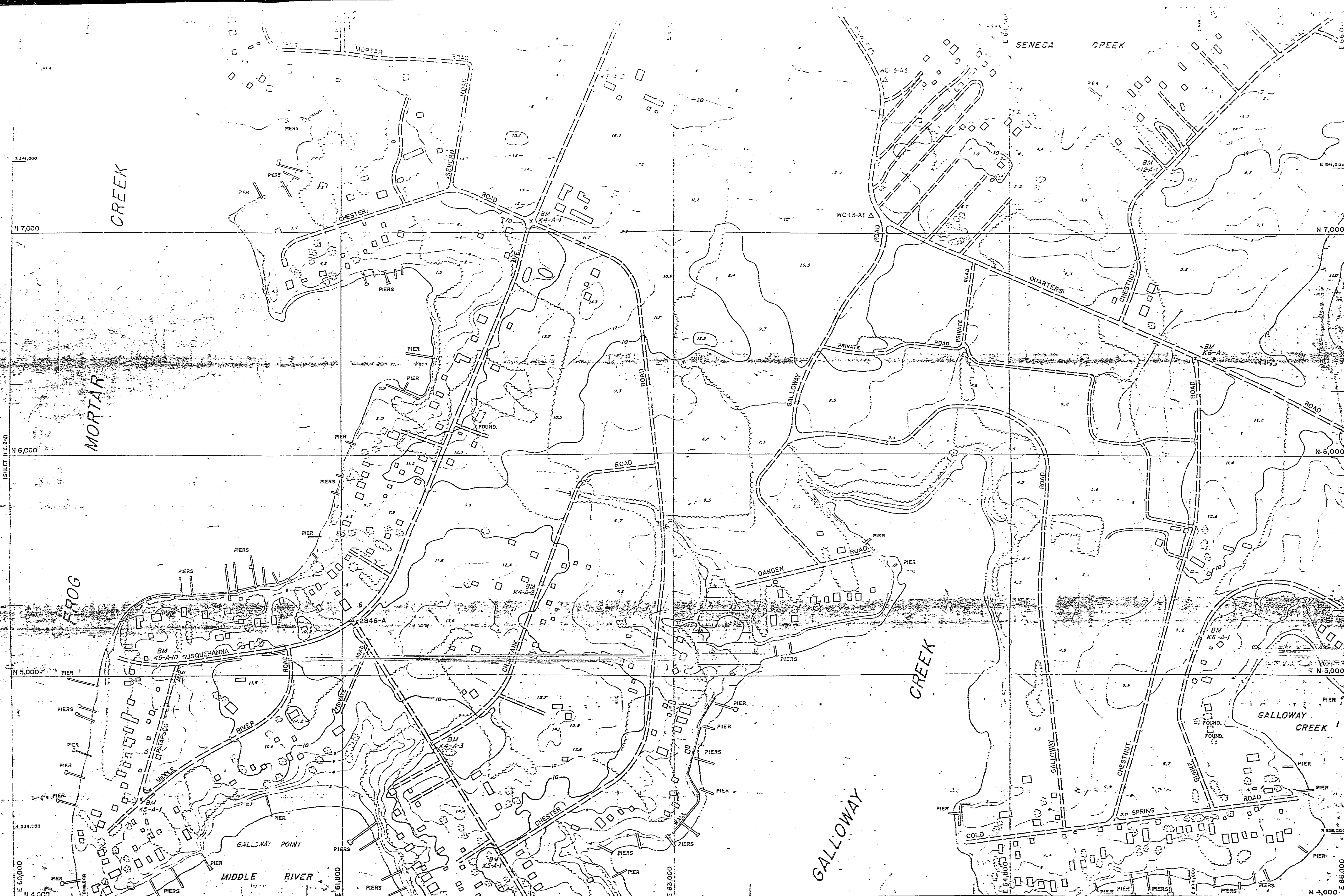
REVISIONS	BY

T. K. BOWEN INC.
BUILDER

BELTZ LEONARD

Date	4-17-96
Scale	1/8"=1'-0"
Drawn	A.R.C.
Job	
Sheet	1
Of	3

DO NOT SCALE



PHOTOGRAMMETRIC MAP OF
BALTIMORE COUNTY METROPOLITAN AREA

REVISIONS			SCALE	LOCATION	SHEET
NO.	BY	DATE			
1			1" = 200'	BOWLEYS QUARTERS	2
DATE OF PHOTOGRAPHY					